March 28, 1934), and Public, No. 484, 73d Congress (Act of June 28, 1934), where the child or children of a deceased veteran are not in custody of the widow, apportionment of pension or death compensation will be as follows:

(D) In apportioning pension or compensation where a widow and child or children and dependent parents, or children and dependent parents are involved, where the aggregate amount payable exceeds $75 or $56 under subparagraphs (A) or (B), reduction necessary to bring the amount within the limitation will be made pro rata from the amount otherwise payable to the parents: *Provided, however,* That the reduction in the award to each parent shall be effected only as of the last day of the month in which the reduction or discontinuance is approved: *Provided further,* That the limitations of $75 or $56 may be exceeded in any case where protection in the rate payable is afforded by Section 20, Public, No. 73, or Section 28, Public, No. 141, 73d Congress (A. D. 243).

(F) Where benefits are payable under Public, No. 484, 73d Congress (Act of June 28, 1934), as amended by Public, No. 844, 74th Congress (Act of June 29, 1936):

Widow	$17.00
Child	13.00
Each additional child	4.00

(L) *Special apportionments.*—In any case wherein it is clearly shown by competent evidence that the application of the foregoing provisions of these regulations or the fact that no apportionment is authorized under the provisions thereof will result in undue hardship upon the widow, children, or dependent parents, and relief can be afforded without undue hardship to the other persons at interest, the complete case file will be forwarded through the director, dependents claims service, to the assistant administrator in charge of compensation and pensions, who will determine without regard to the foregoing provisions of these regulations the death pension or compensation which will be apportioned and the exact amount to be apportioned to each individual in interest. (V. R. No. 6 (c).) (September 16, 1935.)

PAYMENT OF PENSION OR COMPENSATION TO A CHILD WHEN IT REACHES SIXTEEN OR EIGHTEEN YEARS OF AGE

When Pension or Compensation May Be Paid to a Child After It Reaches Sixteen or Eighteen Years of Age

R–2594. Pension or compensation to, for, or on account of a child payable under Section 28, Public, No. 141, 73d Congress (Act of March 28, 1934), or under Public, No. 2, 73d Congress (Act of March 20, 1933), or Public, No. 484, 73d Congress (Act of June 28, 1934), as amended by Public, No. 844, 74th Congress (Act of June 29, 1936), on account of death of a parent shall terminate when such child (1) reaches the age of 18 years or (2) marries: *Provided,* That such pension or compensation shall be continued after the age of 18 years:

(A) *Period of mental or physical incapacity.*—During the period of incapacity, if the child, prior to reaching 18 years of age, becomes, by reason of mental or physical defects, permanently incapable of self support. (September 16, 1936.)

[SEAL] FRANK T. HINES,
Administrator of Veterans' Affairs.

[F. R. Doc. 2241—Filed, September 16, 1936; 12:12 p. m.]

Friday, September 18, 1936 *No. 134*

DEPARTMENT OF THE INTERIOR.

Division of Territories and Island Possessions.

[Supplement No. 10 to I. C. C. No. 103 [1]]

THE ALASKA RAILROAD

In connection with American Yukon Navigation Company (FX 2 No. 1), Alaska Steamship Company (FX 5 No. 5), Puget Sound Navigation Company (FX 5 No. 11), Puget Sound Freight Lines (FX 5 No. 16).

SUPPLEMENT NO. 10 TO JOINT FREIGHT TARIFF NO. 5–C

Naming class and commodity rates between Seattle and Tacoma, Washington, and points on The Alaska Railroad, American Yukon Navigation Company in Alaska.

Governed, except as otherwise provided herein, by The Western Classification No. 65 (as published in Consolidated Freight Classification No. 10) R. C. Fyfe's I. C. C. No. 23, supplements thereto or successive reissues thereof. Transportation service in connection with The Alaska Railroad, American Yukon Navigation Company, is subject to restoration and discontinuance as indicated in item 250, Page 16, of tariff. Issued August 17, 1936. Effective October 1, 1936. Authority: Act of March 12, 1914, and Executive Order No. 3861. Issued by O. F. Ohlson, General Manager, Anchorage, Alaska.

SECTION 2

Commodity Rates

If the charge accruing under Section 1 of this Tariff is lower than the charge accruing under this section on the same shipment via the same route, the charge accruing under Section 1 will apply.

Item No.	Commodities	Stations	Rates in cents per 100 pounds except as shown	
430–E cancels 430–D.	Fruits and Vegetables, fresh, viz: Apricots, Artichokes, Asparagus, Bananas, Beans, Beets with tops, Berries, Brussel Sprouts, Cantaloupes, Carrots with tops, Cauliflower, Celery, Cherries, Corn, Cranberries, Cucumbers, Currants, Egg Plant, Grapes, Lettuce, Melons, Onions with tops, Parsley, Parsnips with tops, Peaches, Pears, Peas, Peppers, Pineapples, Plums, Pomegranates, Prunes, Quinces, Radishes Rhubarb, Spinach, Tomatoes, Turnips with tops, Any quantity. NOTE.—Shipments requiring cool room service on steamers from Seattle, Wash., to Seward, Alaska will be subject to additional charge as provided in Item 255 for such service.	From Seattle, Wash., to— Anchorage, Alaska Matanuska, Alaska *Premier, Alaska *Jonesville, Alaska *Eska, Alaska Wasilla, Alaska *Talkeetna, Alaska Curry, Alaska Healy, Alaska *Suntrana, Alaska Nenana, Alaska *Marshall, Alaska Fairbanks, Alaska		405 444 486 486 455 A527 A551 A639 A642 A667 667 A700
			L. C. L.	C. L.
485–E cancels 485–D.	Meats, fresh, including Dressed Poultry, Less than carloads. Straight or mixed carloads, minimum weight 26,000 lbs. NOTE.—Rates named in this item include cold storage service on steamers between Seattle, Wash., and Seward, Alaska.	Between Seattle, Wash., and— Anchorage, Alaska *Premier, Alaska *Jonesville, Alaska *Eska, Alaska Wasilla, Alaska *Willow, Alaska *Talkeetna, Alaska Healy, Alaska *Suntrana, Alaska Nenana, Alaska *Marshall, Alaska Fairbanks, Alaska	415 496 496 496 465 492 537 A649 A652 A677 677 A710	361 418 418 418 396 415 446 A525 A527 A544 544 A568
530–E cancels 530–D.	Sugar, Carloads, minimum weight 40,000 lbs.	From Seattle, Wash., and Tacoma, Wash., to— Fairbanks, Alaska.	[1] A	

A Denotes advance.
[1] Cancel, Leaving class rates apply.
* No agent, freight charges must be prepaid.

[F. R. Doc. 2251—Filed, September 17, 1936; 9:42 a. m.]

[1] Cancels Supplement No. 7. Supplements Nos. 4, 8, 9, and 10 contain all changes from original tariff that are effective on the date hereof.

National Park Service.

NATIONAL CAPITAL PARK REGULATIONS AMENDED

Under the authority of Executive Order No. 6166, June 10, 1933, and the Act of March 3, 1933 (47 Stat. 1518), the National Capital Park Regulations promulgated June 16, 1927, as amended March 2, 1933, are hereby further amended by the addition of the following new sections:

ARTICLE 9.—*Games, Athletic Contests, etc.*

SECTION 4. Persons holding permits issued by authority of the superintendent for the use of established picnic groves shall be entitled to the exclusive use of such groves on the dates and between the hours specified in the permits. All persons not holding permits will be required to vacate the groves upon the arrival of permit holders.

ARTICLE 12.—*Traffic and Motor Vehicle Regulations.*

SECTION 13–B. Washing, cleaning, polishing, lubricating, repairing, or performing any mechanical work upon any vehicles within the park system, except in case of emergency, is prohibited.

SECTION 13–C. Tampering with or attempting to enter or start any motor vehicle parked within the park system, without authority from the owner of such vehicle, is prohibited.

Approved, August 18, 1936.

[SEAL] OSCAR L. CHAPMAN,
Acting Secretary of the Interior.

[F. R. Doc. 2249—Filed, September 17, 1936; 9:42 a. m.]

RULES AND REGULATIONS AMENDED

Pursuant to the authority granted to the Secretary of the Interior by section 3 of the Act of August 25, 1916 (39 Stat. 535), as amended, the National Park Service Rules and Regulations approved June 18, 1936 (1 F. R. 790), are hereby amended in the following particulars:

1. Regulation No. 2 (n) is hereby repealed.

2. Regulation No. 17 is amended so as to read as follows:

Visitors shall not be permitted to visit the ruins in Mesa Verde National Park unless accompanied by National Park Service employees. The Superintendent may waive this requirement by issuing a special written permit to persons engaged in scientific studies.

Visitors shall not be permitted to enter the canyons in Canyon de Chelly National Monument unless accompanied by National Park Service employees or authorized guides. The Superintendent of Southwestern Monuments is hereby authorized, in his discretion, to issue licenses to properly qualified persons to act as guides for the purpose of accompanying visitors within the canyons.

Visitors shall not remove any artifacts or other objects of archeological or historical significance from the place where they may be found, nor purchase any such objects from Indians or others. Any such objects purchased or removed in violation of this regulation shall be delivered to the superintendent or his representative on demand.

Approved, September 9, 1936.

[SEAL] CHARLES WEST,
Acting Secretary of the Interior.

[F. R. Doc. 2250—Filed, September 17, 1936; 9:42 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

DETERMINATION OF THE SECRETARY OF AGRICULTURE WITH RESPECT TO A PROPOSED ORDER REGULATING THE HANDLING OF MILK IN THE DUBUQUE, IOWA, MARKETING AREA

Whereas, the Secretary of Agriculture, pursuant to Sections 8b and 8c of Title I of the Agricultural Adjustment Act, approved May 12, 1933, as amended, hereinafter called the act, having reason to believe that the issuance of a marketing agreement and order with respect to the handling of milk in the Dubuque, Iowa, Marketing Area would tend to effectuate the declared policy to establish and maintain such marketing conditions in the handling of milk in the aforesaid area as would reestablish prices of milk to producers of milk in said area at a level that would give such milk a purchasing power with respect to articles that such producers buy equivalent to the purchasing power of milk in the base period, August 1923–July 1929, gave, on the 15th day of June 1936, notice of a hearing,[1] which was held on the second day of July 1936, at Dubuque, Iowa, on a proposed marketing agreement and a proposed order regulating the handling of milk in the Dubuque, Iowa, Marketing Area, at which times and places all interested parties were afforded an opportunity to be heard on the proposed marketing agreement and the proposed order; and

Whereas, after such hearing and after the tentative approval by the Secretary of a marketing agreement on the 17th day of August 1936, handlers of more than 50 per centum of the volume of milk, covered by such proposed order, which is produced or marketed within the Dubuque, Iowa, Marketing Area, refused or failed to sign such marketing agreement relating to milk;

Now, therefore, the Secretary of Agriculture, by virtue of the authority vested in him by the act, does hereby determine:

1. That the refusal or failure of said handlers to sign the said marketing agreement tends to prevent the effectuation of the declared policy to establish and maintain such marketing conditions in the handling of milk in the aforesaid area as will reestablish prices of milk to producers of milk in said area at a level that will give such milk a purchasing power with respect to articles that such producers buy equivalent to the purchasing power of such milk in the base period, August 1923–July 1929; and

2. That the issuance of the proposed order is the only practical means, pursuant to such policy, of advancing the interests of producers of milk in said area; and

3. That the issuance of the proposed order is approved or favored by over seventy-five (75) per centum of the producers who, during the month of June 1936, said month being here and now determined by the Secretary to be a representative period, have been engaged in the production of milk for sale in the said area.

In witness whereof, I, H. A. Wallace, Secretary of Agriculture, have executed this determination and have hereunto set my hand and cause the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 14th day of September 1936.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

Approved:

FRANKLIN D. ROOSEVELT,
The President of the United States.

Dated September 15, 1936.

[F. R. Doc. 2255—Filed, September 17, 1936; 12:21 p. m.]

ORDER REGULATING THE HANDLING OF MILK IN THE DUBUQUE, IOWA, MARKETING AREA

Whereas, by section 8b of Title I of the Agricultural Adjustment Act, approved May 12, 1933, as amended, hereinafter called the Act, the Secretary of Agriculture, hereinafter called the Secretary, is empowered, after due notice and opportunity for hearing, to enter into marketing agreements with processors, producers, associations of producers, and others engaged in such handling of any agricultural commodity or product thereof as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects interstate or foreign commerce in such commodity or product thereof; and

Whereas, by section 8c (1) of the Act the Secretary is empowered to issue orders applicable to processors, associations of producers, and others engaged in the handling of any agricultural commodity or product thereof specified in subsection (2) of section 8c, such orders to regulate only such handling of such agricultural commodity or product thereof as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects interstate or foreign commerce in such commodity or product thereof; and

Whereas, the Secretary, having reason to believe that the issuance of a marketing agreement and order with respect

[1] 1 F. R. 599.

to the handling of milk in Dubuque, Iowa, Marketing Area would tend to effectuate the declared policy to establish and maintain such marketing conditions in the handling of milk in the aforesaid area as would reestablish prices of milk to producers of milk in said area at a level that would give such milk a purchasing power with respect to articles that such producers buy equivalent to the purchasing power of milk in the base period, August 1923–July 1929, gave, on the 15th day of June 1936, notice of a hearing, which was held on the 2nd day of July 1935 at Dubuque on a proposed marketing agreement and a proposed order regulating the handling of milk in the Dubuque, Iowa, Marketing Area, and on the 22nd day of July 1936 gave notice of the reopening of such hearing at Dubuque, Iowa, on the 28th day of July 1936, at which time and place all interested parties were afforded an opportunity to be heard on the proposed agreement and the proposed order; and

Whereas, the Secretary has found and proclaimed the period August 1923–July 1929 to be the base period to be used in connection with ascertaining the purchasing power of milk handled in the Dubuque, Iowa, Marketing Area; and

Whereas after said hearing and after the tentative approval by the Secretary of a marketing agreement on the 17th day of August 1936, handlers of more than 50 per centum of the volume of milk covered by this order, which is marketed within the Dubuque, Iowa, Marketing Area, refused or failed to sign such marketing agreement; and

Whereas the Secretary determined, on the 14th day of September 1936, said determination being approved by the President of the United States on the 15th day of September 1936, that said refusal or failure tends to prevent the effectuation of the declared policy to establish and maintain such marketing conditions in the handling of milk in the aforesaid area as would reestablish prices of milk to producers of milk in said area at a level that would give such milk a purchasing power with respect to articles that such producers buy equivalent to the purchasing power of such milk in the base period, August 1923–July 1929, and that the issuance of this order is the only practical means, pursuant to such policy of advancing the interests of producers of milk in said area; and

Whereas, the issuance of this order and in a separate poll, the payment of uniform prices by each handler to the producers delivering milk to such handler, is approved or favored by over 75 percent of the producers who, during the month of June 1936, said month being determined by the Secretary to be a representative period, have been engaged in the production of milk for sale in the Dubuque, Iowa, Marketing Area; and

Whereas, the Secretary finds, upon the evidence introduced at the said hearing:

1. That approximately 16 percent of the total volume of milk, the handling of which is covered by this order, is produced in the States of Illinois and Wisconsin, and that the handling of all such milk is in the current of interstate commerce and that the handling of the remainder of the milk covered by this order directly burdens, obstructs, or affects interstate commerce in milk and its products;

2. That at the time of said hearing and for a protracted period prior thereto, a disparity existed between the prices of milk and the prices of commodities bought by farmers so that the purchasing power of milk for such commodities was below the purchasing power of milk for such commodities during the base period, and that the payment of the minimum prices in the manner set forth in this order will tend to correct said disparity;

3. That the classification of milk into three classes follows a custom already established in the market and is a valid economic procedure;

4. That the determination of uniform prices to be paid by each handler to producers who deliver milk to such handler is a fair and reasonable method of distributing to producers the proceeds of sales to handlers;

5. That the Dubuque, Iowa, Marketing Area, as defined in this order, is the natural marketing area within which handlers distribute the aforesaid milk;

6. That the Market Administrator is a proper agency to administer this order and that the powers granted to, and duties specified for such Market Administrator in this order are necessary for the administration of this order;

7. That a pro rata assessment on handlers at the rate of not to exceed 4 cents per hundredweight of milk received from producers will provide funds necessary for the proper administration of this order;

8. That the reports required of handlers by this order are reasonably necessary for the proper administration of this order;

9. That this order regulates the handling of milk in the same manner as, and is applicable only to handlers specified in the marketing agreement mentioned above, upon which a hearing has been held;

10. That the issuance of this order and all of the terms and conditions hereof will tend to effectuate the declared policy to establish and maintain such marketing conditions in the handling of milk in the aforesaid area as will reestablish prices of milk to producers of milk in said area at a level that will give such milk a purchasing power with respect to articles that such producers buy equivalent to the purchasing power of milk in the base period, August 1923–July 1929;

Now, therefore, the Secretary of Agriculture, pursuant to the authority vested in him by the Act, hereby orders that such handling of milk in the Dubuque, Iowa, Marketing Area as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects interstate or foreign commerce shall, from the effective date hereof, be in conformity to, and in compliance with, the following terms and conditions:

ARTICLE I. DEFINITIONS

SECTION 1. *Terms.*—The following terms shall have the following meanings:

1. "Dubuque Marketing Area", hereinafter called the "Marketing Area", means the territory within the corporate limits of the city of Dubuque; the territory within the township of Dubuque; sections 1, 2, 3, 11, and 12 of the township of Table Mound, and sections 5 and 6 of the township of Mosalem, all in the county of Dubuque in the State of Iowa.

2. "Person" means any individual, partnership, corporation, association, and any other business unit.

3. "Producer" means any person, irrespective of whether any such person is also a handler, who produces milk in conformity with the health requirements applicable for milk to be sold for consumption as milk in the Marketing Area.

4. "Handler" means any person, irrespective of whether such person is a producer or an association of producers, wherever located or operating, who engaged in such handling of milk, which is sold as milk or cream in the Marketing Area, as is in the current of interstate or foreign commerce or which directly burdens, obstructs, or affects interstate or foreign commerce in milk and its products.

5. "Market Administrator" means the person designated pursuant to article II as the agency for the administration hereof.

6. "Delivery period" means the current marketing period beginning with the 1st day and ending with the 15th day, and beginning with the 16th day and ending with the last day, of each month.

ARTICLE II. MARKET ADMINISTRATOR

SECTION 1. *Selection, Removal, and Bond.*—The Market Administrator shall be selected by the Secretary and shall be subject to removal by him at any time. The Market Administrator shall, within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary.

SEC. 2. *Compensation.*—The Market Administrator shall be entitled to such reasonable compensation as may be determined by the Secretary.

SEC. 3. *Powers.*—The Market Administrator shall have power:

1. To administer the terms and provisions hereof; and

2. To receive, investigate, and report to the Secretary complaints of violation of the terms and provisions hereof.

SEC. 4. *Duties.*—The Market Administrator, in addition to the duties hereinafter described, shall:

1. Keep such books and records as will clearly reflect the transactions provided for herein;

2. Submit his books and records to examination by the Secretary at any and all times;

3. Furnish such information and such verified reports as the Secretary may request;

4. Obtain a bond with reasonable security thereon covering each employee who handles funds entrusted to the Market Administrator;

5. Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions hereof;

6. Publicly disclose to handlers and producers, unless otherwise directed by the Secretary, the name of any person who, within 15 days after the date upon which he is required to perform such acts, has not (a) made reports pursuant to article V or (b) made payments pursuant to article VIII; and

7. Pay out of the funds provided by article IX (a) the cost of his bond and of the bonds of such of his employees as handle funds entrusted to the Market Administrator, (b) his own compensation, and (c) all other expenses which will necessarily be incurred by him for the maintenance and functioning of his office and the performance of his duties.

SEC. 5. *Responsibility.*—The Market Administrator, in his capacity as such, shall not be held responsible in any way whatsoever to any handler or any other person for errors in judgment, for mistakes, or for other acts either of commission or omission, except for his own willful misfeasance, malfeasance, or dishonesty.

ARTICLE III. CLASSIFICATION OF MILK

SECTION 1. *Sales and Use Classification.*—All milk purchased or handled by handlers shall be classified by the Market Administrator as follows:

1. All milk sold or distributed as milk shall be Class I milk;

2. All milk used to produce cream for consumption as cream shall be Class II milk;

3. All milk specifically accounted for (a) as sold, distributed, or disposed of other than as milk, or cream for consumption as cream, (b) as manufacturing loss, and (c) as general plant shrinkage within reasonable limits shall be Class III milk.

SEC. 2. *Interhandler Sales.*—Milk sold by a handler to another handler shall be presumed to be Class I milk. In the event that such selling handler, on or before the date fixed for filing reports pursuant to article V, notifies the Market Administrator that such milk, or part thereof, has been sold or used by the purchasing handler other than as Class I milk, such milk, or part thereof, shall be classified according to such notification; provided, that if such selling handler does not, on or before the 10th day after the end of the delivery period during which such sale was made, furnish proof satisfactory to the Market Administrator in support of the above notification, such milk, or part thereof, shall then be classified as Class I milk and so included in the value of milk computed for the selling handler pursuant to section 1 of article VII.

SEC. 3. *Sales to Nonhandlers.*—Milk sold by a handler to a person who is not a handler and who distributes milk or manufactures milk products shall be presumed to be Class I milk. In the event that such selling handler, on or before the date fixed for filing reports pursuant to article V, notifies the Market Administrator that such milk, or part thereof, has been sold by such purchaser other than as milk, such milk, or part thereof, shall be classified according to such notification; provided, that if such selling handler does not, on or before the 15th day after the end of the delivery period during which such sale was made, furnish proof satisfactory to the Market Administrator in support of the above notification, such milk, or part thereof, shall then be classified as Class I milk and so included in the value of milk computed for the selling handler pursuant to section 1 of article VII.

ARTICLE IV. MINIMUM PRICES

SECTION 1. *Class I Price.*—Each handler shall pay producers, at the time and in the manner set forth in article VIII, for Class I milk, at such handler's plant, not less than $1.90 per hundredweight.

SEC. 2. *Class II Price.*—Each handler shall pay producers, at the time and in the manner set forth in article VIII, for Class II milk, at such handler's plant, not less than $1.80 per hundredweight.

SEC. 3. *Class III Price.*—Each handler shall pay producers, in the manner set forth in article VIII, for Class III milk not less than the price which shall be calculated by the Market Administrator as follows: multiply by 3.5 the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture, for the delivery period during which such milk is purchased, and add 15 cents.

SEC. 4. *Sales Outside the Marketing Area.*—The price to be paid to producers by a handler for Class I milk sold outside the Marketing Area, in lieu of the price otherwise applicable pursuant to this article, shall be such price as the Market Administrator ascertains is being paid by processors, in the market where such milk is sold, for milk of equivalent use, subject to a reasonable adjustment on account of transportation from the plant where such milk is received from producers to the plant where such milk is loaded on wholesale and retail routes.

ARTICLE V. REPORTS OF HANDLERS

SECTION 1. *Periodic Reports.*—On or before the 5th day after the end of each delivery period each handler shall, with respect to milk or cream which was, during such delivery period (a) received from producers, (b) received from handlers, and (c) produced by such handler, report to the Market Administrator, in the detail and form prescribed by him, as follows:

1. The receipts at each plant from producers who are not handlers;

2. The receipts at each plant from any other handler, including any handler who is also a producer;

3. The quantity, if any, produced by such handler; and

4. The respective quantities of milk which were sold, distributed, or used, including sales to other handlers, for the purpose of classification pursuant to article III.

SEC. 2. *Reports as to Producers.*—Each handler shall report to the Market Administrator:

1. Within 10 days after the Market Administrator's request, with respect to any producer for whom such information is not in the files of the Market Administrator, and with respect to a period or periods of time designated by the Market Administrator, (a) the name and address, (b) the total pounds of milk delivered, (c) the average butterfat test of milk delivered, and (d) the number of days upon which deliveries were made; and

2. As soon as possible after first receiving milk from any producer, (a) the name and address of such producer, (b) the date upon which such milk was first received, and (c) the plant at which such producer delivered milk.

SEC. 3. *Reports of Payments to Producers.*—Each handler shall submit to the Market Administrator on or before the 20th day after the end of each delivery period his producer payroll for such delivery period which shall show for each producer (a) the net amount of such producer's payment with the prices, deductions, and charges involved and (b) the total delivery of milk with the average butterfat test thereof.

SEC. 4. *Verification of Reports.*—In order that the Market Administrator may submit verified reports to the Secretary pursuant to paragraph 3 of section 4 of article II, each handler shall permit the Market Administrator or his agent, during the usual hours of business, to (a) verify the information contained in reports submitted in accordance with this article, and (b) weigh milk delivered by each producer and sample and test milk for butterfat.

ARTICLE VI. HANDLERS WHO ARE ALSO PRODUCERS

SECTION 1. *Milk Purchased from Producers.*—In the case of a handler who is also a producer and has purchased milk from producers, the Market Administrator shall, in the computations set forth in article VII, first exclude the milk purchased by him in each class from other handlers and then apportion the milk purchased by him from producers to each class according to the ratio which such handler's remaining total sales in each class bears to his remaining total sales in all classes.

ARTICLE VII. DETERMINATION OF UNIFORM PRICES TO PRODUCERS

SECTION 1. *Computation of Value of Milk for Each Handler.*—For each delivery period the Market Administrator shall compute, subject to the provisions of article VI, the value of milk sold or used by each handler, which was not purchased from other handlers, by (a) multiplying the quantity of such milk in each class by the price applicable pursuant to article IV, and (b) adding together the resulting values of each class.

SEC. 2. *Computation and Announcement of Uniform Prices.*—The Market Administrator shall compute and announce for each handler the uniform price per hundredweight of milk delivered to such handler during each delivery period as follows:

1. Divide the total value computed pursuant to section 1 of this article by the total quantity of milk for which such value is computed;

2. On or before the 10th day after the end of each delivery period, notify each handler of the blended price per hundredweight computed for him pursuant to this section; and

3. On or after the 15th day after the end of each delivery period publicly announce the uniform price computed for each handler pursuant to this section.

ARTICLE VIII. PAYMENT FOR MILK

SECTION 1. *Time and Method of Payment.*—On or before the 15th day after the end of each delivery period each handler shall make payment for the total value of milk received from producers during such delivery period, computed according to section 1 of article VII by paying each producer for all milk delivered by such producer at the blended price computed for such handler pursuant to section 2 of article VII, subject to the butterfat differential set forth in section 3 of this article.

SEC. 2. *Errors in Payments.*—Errors in making the payments prescribed in this article shall be corrected not later than the date for making payments next following the determination of such errors.

SEC. 3. *Butterfat Differential.*—In making payments to each producer pursuant to section 1 of this article, each handler shall add or subtract, as the case may be, for each one-tenth of one percent of butterfat content of milk delivered by such producer which is above or below 3.5 percent, an amount which is one-tenth of the average price per pound of 92-score butter at wholesale in the Chicago market as reported by the United States Department of Agriculture for the Delivery period during which such milk is purchased: provided that such amount shall not be less than 3 cents nor more than 4 cents.

ARTICLE IX. EXPENSE OF ADMINISTRATION

SECTION 1. *Payment by Handlers.*—As his pro rata share of the expense of the administration hereof, each handler shall, on or before the 10th day after the end of each delivery period, pay to the Market Administrator a sum not exceeding 4 cents per hundredweight with respect to all milk received by him during such delivery period from producers or produced by him, the exact amount to be determined by the Market Administrator subject to review by the Secretary.

SEC. 2. *Suits by Market Administrator.*—The Market Administrator may maintain a suit in his own name against any handler for the collection of such handler's pro rata share of expense set forth in this article.

ARTICLE X. EFFECTIVE TIME, SUSPENSION, AND TERMINATION

SECTION 1. *Effective Time.*—The provisions hereof, or any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated, pursuant to section 2 of this article.

SEC. 2. *Suspension and Termination.*—Any or all provisions hereof or any amendment hereto shall be suspended or terminated as to any or all handlers after such reasonable notice as the Secretary may give, and shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

SEC. 3. *Effect.*—Unless otherwise provided by the Secretary in the notice of amendment, suspension, or termination of any or all provisions hereof, the amendment, suspension, or termination shall not: (a) affect, waive, or terminate any right, duty, obligation, or liability which shall have arisen or may thereafter arise in connection with any provisions hereof; (b) release or waive any violation hereof occurring prior to the effective date of such amendment, suspension, or termination; or (c) affect, or impair, any right or remedies of the Secretary, or of any other person, with respect to any such violation.

SEC. 4. *Continuing Power and Duty.*—If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder, the final accrual or ascertainment of which requires further acts by any handler, by the Market Administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination; provided, that any such acts required to be performed by the Market Administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

The Market Administrator, or such other person as the Secretary may designate, (a) shall continue in such capacity until discharged by the Secretary (b) from time to time account for all receipts and disbursements and deliver all funds or property on hand, together with the books and records of the Market Administrator, or such person, to such person as the Secretary shall direct, and (c) if so directed by the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the Market Administrator or such person pursuant hereto.

SEC. 5. *Liquidation after Suspension or Termination.*—Upon the suspension or termination of this order the Market Administrator, or such person as the Secretary may designate, shall liquidate the business of the Market Administrator's office, and dispose of all funds and property then in his possession or under his control, together with the claims for any funds which are unpaid and owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof over and above the amounts necessary to meet outstanding obligations and the expense necessarily incurred by the Market Administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

ARTICLE XI. LIABILITY

SECTION 1. *Handlers.*—The liability of the handlers hereunder is several and not joint and no handler shall be liable for the default of any other handler.

Now, therefore, H. A. Wallace, Secretary of Agriculture, acting under the provisions of the Agricultural Adjustment Act, as amended, for the purposes and within the limitations therein contained, and not otherwise, does hereby execute this Order in duplicate under his hand and the official seal of the Department of Agriculture, in the City of Washington, District of Columbia, on this 17th day of September 1936, and pursuant to the provisions hereof declares this Order to be effective on and after 12:01 a. m., central standard time, October 1, 1936.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 2256—Filed, September 17, 1936; 12:21 p. m.]

ECR—B-1 Revised—Supplement (p) Issued September 17, 1936

1936 AGRICULTURAL CONSERVATION PROGRAM—EAST CENTRAL REGION

BULLETIN NO. 1 REVISED—SUPPLEMENT (P)

Division of Soil-Conserving Payment

Section 3 of Part V of E. C. R.—B-1 Revised, as amended, is hereby amended by adding to the end thereof the following new subsection:

(f) On farms where there are two or more producers, that portion of the soil-conserving (Class I) payment with respect to any soil-depleting base which is divided among producers on a crop-share basis shall be divided among the producers entitled to share in the soil-depleting crop(s) in such base in the proportion that the acreage share of each such producer bears to the total acreage of such crop(s) grown on the farm in 1936; except that

(1) In cases where the county committee finds (such findings shall be indicated by approval of the Application for Payment, Form ECR 11, setting forth the division of payment as provided for in this paragraph (1) or paragraph (2) below) that diversion has not been made ratably by all producers on the farm, such portion of such payment to be made to any such producer shall be in the proportion that his contribution to the difference between such base and the 1936 acreage of crop(s) in such base bears to the total difference between such base and the 1936 acreage of crop(s) in such base (the contribution of each producer shall be determined by agreement of all such producers as indicated by their signatures on Form ECR 11 and the county committee shall approve such agreement and indicate such approval by its certification of such Form ECR 11, unless the committee finds that one or more of such producers did not voluntarily enter into such agreement but was coerced into doing so);

(2) In cases where the county committee finds that diversion has not been made ratably by all producers on the farm and all interested parties do not agree as to their respective contributions to the difference between such base and the 1936 acreage of crop(s) in such case the county committee shall recommend, subject to the approval of the Director of the East Central Division, as each such person's share of such payment, that portion computed in accordance with whichever one of the following is found to be the most equitable and support its recommendation by an accompanying letter setting forth fully the facts on which such recommendation is based:

a. That proportion which his acreage contribution to the difference between such base and the 1936 acreage of crop(s) in such base bears to such difference;

b. That proportion which his acreage share of row crops bears to the total acreage of row crops grown on the farm in 1936;

c. That proportion which his acreage share of the soil-depleting base with respect to which such payment is made bears to such base for the farm.

The Secretary reserves the right to withhold the use of the provisions of paragraphs (1) and (2) of this subsection (f) in any county if he finds that such provisions are being used for the purpose of, or so as to have the effect of, reducing payments to tenants and share-croppers below those which they would otherwise receive.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 17th day of September 1936.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 2257—Filed, September 17, 1936; 12:21 p. m.]

NCR—B-1, Revised, as of September 17, 1936

1936 AGRICULTURAL CONSERVATION PROGRAM—NORTH CENTRAL REGION

BULLETIN NO. 1, REVISED, AS OF SEPTEMBER 17, 1936

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, payments will be made, in connection with the effectuation of the purposes of Section 7 (a) of said act for 1936, in accordance with the following provisions of this North Central Region Bulletin No. 1, Revised, as of September 17, 1936. This Bulletin No. 1, Revised, as of September 17, 1936 supersedes NCR—B-1, Revised, issued April 15, 1936, NCR—B-1A, issued May 2, 1936, NCR—B-1B, issued May 29, 1936, NCR—B-1C, issued June 17, 1936, NCR—B-1D, issued June 30, 1936, and NCR—B-1E, issued August 8, 1936.

Part I. Definitions

As used herein and in all forms and documents relating to the 1936 Agricultural Conservation Program in the North Central Region, the following terms shall have the following meanings:

"Secretary" means the Secretary of Agriculture of the United States.

"North Central Region" means the area included in the States of Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, South Dakota, and Nebraska.

"North Central Division" means the division of the Agricultural Adjustment Administration in charge of the 1936 Agricultural Conservation Program in the North Central Region.

"Area A" means the area included in the following counties of Nebraska and South Dakota, respectively, which is neither irrigated nor sub-irrigated. *Nebraska:* Adams, Antelope, Arthur, Banner, Blaine, Boone, Boyd, Box Butte, Brown, Buffalo, Chase, Cherry, Cheyenne, Clay, Custer, Dawes, Dawson, Deuel, Dundy, Fillmore, Franklin, Frontier, Furnas, Garden, Garfield, Gosper, Grant, Greeley, Hall, Hamilton, Harlan, Hayes, Hitchcock, Holt, Hooker, Howard, Jefferson, Kearney, Keith, Keyapaha, Kimball, Lincoln, Logan, Loup, McPhernon, Merrick, Morrill, Nance, Nuckolls, Perkins, Phelps, Redwillow, Rock, Saline, Scotts Bluff, Sheridan, Sherman, Sioux, Thayer, Thomas, Valley, Webster, Wheeler, York. *South Dakota:* Armstrong, Aurora, Beadle, Bennett, Brown, Brule, Butte, Buffalo, Campbell, Charles Mix, Clark, Corson, Custer, Davison, Day, Dewey, Douglas, Edmunds, Fall River, Faulk, Gregory, Haakon, Hand, Hanson, Harding, Hughes, Hyde, Jackson, Jerauld, Jones, Kingsbury, Lawrence, Lyman, Marshall, McPherson, Meade, Mellette, Miner, Pennington, Perkins, Potter, Sanborn, Shannon, Spink, Stanley, Sully, Todd, Tripp, Walworth, Washabaugh, Washington, Ziebach.

"Area B" means the area included in the following counties of Missouri: Butler, Dunklin, Mississippi, New Madrid, Pemiscot, Ripley, Scott, and Stoddard.

"Area C" means the area included in the following counties of Missouri: Howell, Oregon, Ozark, and Taney.

"State Committee or State Agricultural Conservation Committee" means the group of persons designated for a State to assist in the administration of the 1936 Agricultural Conservation Program in such State.

"County Committee or County Agricultural Conservation Committee" means the group of persons designated for a county to assist in the administration of the 1936 Agricultural Conservation Program in such county.

"Person" means an individual, partnership, association, or corporation. The term person shall also include, wherever applicable, a State, a political subdivision of a State, or any agency thereof, and any other governmental agencies that may be designated by the Secretary.

"Owner" means a person who owns land which is not rented to another for cash or for a fixed commodity payment, or who rents land from another for cash or for a fixed commodity payment, or who is purchasing land on installments for cash or for a fixed commodity payment.

"Operator" means a person who as owner or share-tenant is operating a farming unit and is entitled to receive all or a portion of the crops produced thereon, or the proceeds thereof. If a share-tenant sublets part or all of the farming unit to another share-tenant, and both such share-tenants are entitled to share in the crops produced thereon, or the proceeds thereof, both shall be deemed operators.

"Share-tenant" means a person other than an owner or share-cropper who is operating a farm and is entitled to receive a portion of the crops produced thereon, or the proceeds thereof. If a share-tenant sublets a farm to another person and both such persons are entitled to share in the crops produced thereon, or the proceeds thereof, both shall be deemed share-tenants.

"Share-cropper" means a person who works a farm in whole or in part under general supervision of the operator

and is entitled to receive for his labor a proportionate share of a crop produced thereon, or the proceeds thereof.

"Farming unit" means all land which is farmed by an operator in 1936 as a single unit, with workstock, farm machinery, and labor substantially separate from that for any other land.

"Farm" means all tracts of farm land in the same county under the same ownership, operated as all or part of a single farming unit by the same operator in 1936.

"Cropland" means all farm land which is tillable and from which at least one crop other than wild hay was harvested between January 1, 1930, and January 1, 1936, and all other farm land which is devoted to orchards or vineyards which had not reached bearing age on January 1, 1936.

"Total Soil Depleting Base" means the total number of acres established for the farm as the acreage normally used for the production of soil depleting crops.

"General Soil Depleting Base" means the number of acres established for the farm as the acreage normally used for the production of all soil depleting crops except cotton, tobacco, sugar beets, and flax. Such general soil depleting base shall be the difference between the total soil depleting base and the sum of any cotton, tobacco, sugar beet, and flax soil depleting bases.

"Cotton Soil Depleting Base" means the number of acres established for the farm as the acreage normally used for the production of cotton.

"Tobacco Soil Depleting Base" means the number of acres established for the farm as the acreage normally used for the production of tobacco.

"Sugar Beet Soil Depleting Base" means the number of acres of sugar beets planted on the farm in 1936 not in excess of the total soil depleting base, less the sum of any cotton and tobacco soil depleting bases, except that any acreage on a farm planted to sugar beets and subsequently planted to a different soil depleting crop for harvest in 1936 other than a crop for emergency forage purposes planted after June 30, 1936, shall not constitute part of the sugar beet soil depleting base.

"Flax Soil Depleting Base" means the number of acres of flax planted on the farm in 1936 not in excess of the total soil depleting base less the sum of any cotton, tobacco, and sugar beet soil depleting bases, except that any acreage on a farm planted to flax and subsequently planted to a different soil depleting crop for harvest in 1936, other than a crop for emergency forage purposes planted after June 30, 1936, shall not constitute part of the flax soil depleting base.

"Computed 1935 General Acreage" means the total number of acres planted to all soil depleting crops for harvest in 1935, minus the sum of any cotton, tobacco, sugar beet, and flax soil depleting bases.

"1936 General Acreage" means the total acreage regarded as used for soil depleting crops on the farm in 1936, less the sum of any 1936 acreage of cotton, tobacco, sugar beets, and flax.

"Soil Conserving Payment" means a payment for the diversion of acreage from any soil depleting base to the production of soil conserving crops. Such payment is also referred to as Class I payment.

"Maximum General Soil Conserving Payment" means the largest amount which may be earned for diversion of acreage from crops in the general soil depleting base. Such amount shall be computed by multiplying the rate for diversion of acreage from crops in the general soil depleting base by the number of acres equal to 15 percent of such base.

"Maximum Cotton Soil Conserving Payment" means the largest amount which may be earned for diversion of acreage in the cotton soil depleting base. Such amount shall be computed by multiplying the rate for diversion of acreage from the cotton soil depleting base by the number of acres equal to 35 percent of such base except that if such base is 5.7 acres or less such amount shall be computed by multiplying such rate by two acres, or by such base, whichever is less.

"Maximum tobacco soil conserving payment" means the largest amount which may be earned for diversion of acreage in the Burley, dark air-cured, cigar leaf, or Eastern Ohio Export tobacco soil depleting base, as the case may be. Such amount shall be computed for each tobacco soil depleting base by multiplying the rate for diversion of acreage in such base by the number of acres equal to 30 percent of such base.

"Soil building payment" means a payment for the carrying out of such soil building practices as are listed in NCR–B–2, Revised, as of September 9, 1936. Such payment is also referred to as Class II payment.

"Soil Building Allowance" means the largest amount for any farm that may be obtained as a soil building payment. The soil building allowance for any farm shall be computed by multiplying the number of acres of cropland on the farm used in 1936 for soil conserving crops by one dollar ($1.00), except that if such acreage is less than 10 acres the soil building allowance shall be ten dollars ($10.00). For the purpose of computing this allowance and for this purpose only the acreage of soil conserving crops shall include the number of acres devoted to winter cover crops or green manure crops, seeded following vegetable crops (including potatoes and sweet potatoes), bulbs or flowers, and incorporated into the soil as green manure by plowing or discing between January 1, 1936, and September 30, 1936, inclusive, after having attained at least two months' growth, irrespective of what other crops are planted on such acres in 1936. In no event shall the same cropland be considered more than once in determining the soil building allowance for a farm.

Part II. Rates and Conditions of Payment

Payments will be made, in connection with the utilization in 1936 of the land on any farm in the North Central Region in the amounts and subject to the conditions hereinafter set forth:

SECTION 1. *Soil Building Payment.*—Payment will be made for the carrying out of such soil building practices on cropland or non-crop pasture land in 1936, at such rates in any State, and upon such conditions as are listed in NCR–B–2, Revised, as of September 9, 1936; *Provided,* That the soil building payment with respect to any farm shall not exceed the soil building allowance for such farm.

SEC. 2. *Soil Conserving Payment.*—Payment will be made for the diversion in 1936 from the production of soil depleting crops, provided that changes in the use of such acreage which involve the destruction of foods, fibre, or feed grains, will not be approved for payment. The rates and the manner of computing such payment are as follows:

(a) *Rates and Payments for Diversion from Crops in General Soil Depleting Bases.*—If the computed 1935 general acreage does not exceed the general soil depleting base, payment will be made, not in excess of the maximum general soil conserving payment, in an amount obtained by multiplying the number of acres diverted from such base by the specified rate per acre. If the computed 1935 general acreage is greater than the general soil depleting base, payment will be made, not in excess of the maximum general soil conserving payment, in an amount bearing the same ratio to the maximum general soil conserving payment as the number of acres diverted from the computed 1935 acreage bears to the number of acres required to be diverted from the computed 1935 general acreage to earn the maximum general soil conserving payment. The rate for diversion from crops in the general soil depleting base is an average of $10.00 per acre for the United States, varying among States, counties, and individual farms, as the productivity of the crop land used for those crops varies from the average productivity of all such crop land in the United States.[1]

[1] The rate per acre will vary among the States and counties depending upon the productivity of the crop land devoted to corn, wheat, oats, barley, rye, buckwheat, grain sorghums, soybeans, dry edible beans, sorghum for syrup, broom corn, protatoes, and sweet potatoes. Upon the recommendation of the State Committee or the Agricultural Adjustment Administration and approval by the Secretary the rate per acre for any county determined in the manner described above may be adjusted. In making this adjustment such additional factors will be considered as the Secretary determines will more accurately reflect the productivity of the crop land in the county than would the use of the factors mentioned above. The rate per acre will vary among farms within the county depending upon the productivity of the crop

(b) *Rates and Payments for Diversion from Cotton Soil Depleting Base.*—Payment will be made, not in excess of the maximum cotton soil conserving payment, in an amount obtained by multiplying the number of acres diverted from the cotton soil depleting base by the rate per acre for such diversion. The rate per acre for diversion from the cotton soil depleting base shall be the result obtained by multiplying the number of pounds representing the normal yield per acre of cotton for the farm by 5 cents.

(c) *Rates and Payments for Diversion from Tobacco Soil Depleting Base.*—Payment will be made, not in excess of the maximum tobacco soil conserving payment, in an amount obtained by multiplying the number of acres diverted from the Burley, dark air-cured, cigar leaf, or Eastern Ohio Export tobacco soil depleting base, as the case may be, by the rate per acre for such diversion. The rate per acre for diversion from any tobacco soil depleting base shall be the result obtained by multiplying the number of pounds representing the normal yield per acre of the specified kind of tobacco for the farm, in the case of Burley tobacco, by 5 cents; in the case of dark air-cured tobacco, by 3½ cents; and in the case of cigar leaf or Eastern Ohio Export tobacco, by 3 cents.

SEC. 3. *Sugar Beets.*—Payment will be made with respect to any farm which has a sugar beet soil depleting base, in an amount for each acre in the sugar beet soil depleting base, not in excess of the acreage allotment for sugar beets for such farm, equal to 12½ cents for each 100 pounds, raw value, of sugar commercially recoverable from the normal yield of sugar beets for such farm.

The acreage allotment with respect to which the sugar beet payment will be made will be the sugar beet soil depleting base, unless the estimated total acreage of sugar beets planted for harvest in 1936 exceeds the acreage determined by the Agricultural Adjustment Administration to be required with normal yields to produce 1,550,000 short tons, raw value, of sugar. In the event that the estimated total acreage of sugar beets planted for harvest in 1936 exceeds the acreage so determined to be required to produce 1,550,000 short tons, raw value, of sugar, the acreage allotment for the farm shall be that percentage of the sugar beet soil depleting base which is computed by dividing the acreage so determined to be required to produce 1,550,000 short tons, raw value, of sugar by the estimated total acreage of sugar beets planted for harvest in 1936. Such percentage of the sugar beet soil depleting base for the farm shall become the acreage allotment for sugar beets for the farm.

SEC. 4. *Flax.*—Payment will be made with respect to any farm which has a flax soil depleting base, in an amount for each acre in the flax soil depleting base, not in excess of the acreage allotment for flax for such farm, equal to 20 cents per bushel of the normal yield per acre of flaxseed for such farm.

The acreage allotment with respect to which a flax payment will be made will be the flax soil depleting base unless the estimated total acreage of flax planted for harvest in 1936 exceeds the acreage determined by the Agricultural Adjustment Administration to be required, with normal yields, to produce 19,000,000 bushels of flaxseed. In the event that the total acreage of flax planted for harvest in 1936 exceeds the acreage so determined to be required to produce 19,000,000 bushels of flaxseed, the acreage allotment for the farm shall be that percentage of the flax soil depleting base which is computed by dividing the acreage so determined to be required to produce 19,000,000 bushels of flaxseed by the total acreage of flax planted for harvest in 1936. Such percentage of the flax soil depleting base for the farm shall become the acreage allotment for flax for the farm.

SEC. 5. *Rice.*—Payment will be made with respect to any farm on which rice is grown in 1936 in an amount determined in accordance with and subject to the provisions of the bulletins heretofore or which may hereafter be issued relating to the 1936 Agricultural Conservation Program in the North Central Region, and the provisions concerning rice contained in bulletins heretofore or which may hereafter be issued relating to the 1936 Agricultural Conservation Program in the Southern Region.

SEC. 6. *Adjustment in Rates.*—The rates specified in Sections 2, 3, and 4 are based upon an estimate of available funds and an estimate of approximately 80 percent participation by farmers. If participation in the North Central Region exceeds that estimated for such region, all the rates specified in Sections 2, 3, and 4 for such region may be reduced pro rata. If participation in the North Central Region is less than the estimate for such region, the rates may be increased pro rata. In no case will the rates be increased or decreased by more than 10 percent.

SEC. 7. *Minimum Acreage of Soil Conserving Crops.*—If the total acreage of soil conserving crops on crop land on the farm in 1936 does not equal or exceed an acreage equal to the sum of—

(a) 15 percent of the general soil depleting base,
(b) 20 percent of the cotton soil depleting base,
(c) 20 percent of the tobacco soil depleting base,
(d) 25 percent of the sugar beet soil depleting base,
(e) 20 percent of the flax soil depleting base,

a deduction will be made from any payment other than any soil building payment which otherwise would be made to any person with respect to the farm pursuant to any provision herein, in an amount computed as follows: Multiply the number of acres by which the total acreage of soil conserving crops on crop land on the farm in 1936 is less than the acreage specified in this Section 7 by an amount equal to one and one-half times the rate per acre determined for the farm under Section 2 (a) of Part II and multiply this result by the percentage to which such person would be entitled to share in any soil conserving payment which may be made with respect to such farm, such percentage to be determined in accordance with Section 3 of Part V.

SEC. 8. *Increase in Acreage of Soil Depleting Crops.*—(a) If the total acreage of crops in the general soil depleting base on any farm in 1936 exceeds the larger of (1) the general soil depleting base, or (2) the computed 1935 general acreage, a deduction will be made from any payment which otherwise would be made with respect to the farm in an amount obtained by multiplying such number of excess acres by the rate per acre determined for the farm under Section 2 (a).

(b) If the total acreage of sugar beets on any farm in 1936 exceeds the sugar beet soil depleting base, a deduction will be made from any payment which otherwise would be made with respect to the farm in an amount obtained by multiplying such number of excess acres by the rate per acre determined for the farm under Section 2 (a).

(c) If the total acreage of flax on any farm in 1936 exceeds the flax soil depleting base, a deduction will be made from any payment which otherwise would be made with respect to the farm in an amount obtained by multiplying such number of excess acres by the rate per acre determined for the farm under Section 2 (a).

(d) If the acreage of cotton on any farm in 1936 exceeds the cotton soil depleting base, a deduction will be made from any payment which otherwise would be made with respect to the farm in an amount equal to the result obtained by multiplying such number of excess acres by the rate per acre determined for the farm under Section 2 (b). If no rate has been determined for the farm under Section 2 (b), the rate to be applied will be computed by multiplying the number of pounds representing the average county yield of cotton per acre by the farm's productivity index of crops in the general soil depleting base, and multiplying this result by five cents.

land on the farm as measured by its normal yield of the major soil depleting crop in the county. Where the yield of the major soil depleting crop for any farm in a county does not accurately reflect the productivity of such farm, the yield of such other crop or crops as do accurately reflect the productivity of such farm may be employed: Provided, that the productivity indexes for such farms shall, if necessary, be adjusted so as to be fair and equitable as compared with the productivity indexes for other farms in the county having similar soils or productive capacity and as contrasted with other farms in the county having different soils and productive capacity.

(e) If the acreage of any kind of tobacco on any farm in 1936 exceeds the tobacco soil depleting base established for such kind of tobacco, a deduction will be made from any payment which otherwise would be made with respect to the farm in an amount equal to the result obtained by multiplying such number of excess acres by the rate per acre determined for the farm for such kind of tobacco under Section 2 (c) for the kind of tobacco of which there is an excess. If no rate has been determined for the farm under Section 2 (c) for the kind of tobacco of which there is an excess, the rate to be applied for such kind of tobacco will be computed by multiplying the number of pounds representing the average county yield per acre of such kind of tobacco by the farm's productivity index of crops in the general soil depleting base, and multiplying this result in the case of Burley tobacco by 5 cents; in the case of dark air-cured tobacco by 3½ cents; and in the case of cigar leaf or Eastern Ohio Export tobacco by 3 cents.

SEC. 9. *Payments Restricted to Effectuation of Purposes.*—All or any part of any payment which otherwise would be made with respect to any farm may be withheld if any rotation, cropping, or other practices are adopted on the farm which practices the Secretary determines tend to defeat the purposes of the 1936 Agricultural Conservation Program.

SEC. 10. *Association Expenses.*—In computing payments hereunder there shall be deducted from the payment to any person with respect to a farm or farms in a county all or such part as shall, under rules prescribed by the Secretary, be determined to be such person's pro rata share of the estimated administrative expenses incurred and to be incurred by the County Agricultural Conservation Association of the county in which such farm or farms are located, in cooperating in carrying out in such county the 1936 Agricultural Conservation Program. As provided in the Articles of Association, as amended, any person who previously has not become a member of the County Agricultural Conservation Association of the county in which his farm or farms are located shall become a member thereof by virtue of his signing an application for payment with respect to such farm or farms.

Part III. Establishment of Bases

SECTION 1. *Total Soil Depleting Base.*—The County Committee will recommend for approval by the Secretary a total soil depleting base for each farm which shall represent the acreage normally used for the production of all soil depleting crops on such farm and shall be determined as hereinafter indicated. In no event shall the total soil depleting base for any farm be greater than the total number of acres of crop land on the farm. Where more tha.. one soil depleting crop was harvested from the same land in 1935, such acreage shall be counted only once. The total soil depleting base shall be the acreage of all the soil depleting crops harvested in 1935, subject to the following adjustments:

(a) There shall be added to the 1935 acreage of soil depleting crops the number of "rented", "contracted" or "retired" acres under 1935 commodity adjustment programs from which no soil depleting crops were harvested in 1935.

(b) Where, because of unusual weather conditions, the number of acres of soil depleting crops harvested in 1935 was greater or less than the acreage of such crops usually harvested on the farm, such number of acres shall be decreased or increased to an acreage which is comparable to the acreage of such crops harvested on such farm under normal conditions in past years.

(c) Where the 1935 acreage of soil depleting crops for any farm, adjusted, if necessary, as heretofore indicated, is materially greater or less than the 1935 acreage of soil depleting crops on farms in the same community which are similar with respect to size, type of soil, topography, production facilities, and farming practices, such adjustment shall be made as will result in a total soil depleting base for such farm which is equitable as compared with the total soil depleting bases for such other similar farms.

For each county a ratio of the total acreage in soil depleting crops to all farm land will be established by the Agricultural Adjustment Administration from available statistics, such ratio to be referred to as the county limit. The ratio of the aggregate of the total soil depleting bases established in a county to all the farm land in the farms for which such bases are established shall not exceed the county limit for such county unless a variance therefrom is recommended by the State Committee and approved by the Agricultural Adjustment Administration.

SEC. 2. *General Soil Depleting Base.*—The general soil depleting base for any farm shall represent for such farm the acreage normally used for the production of all soil depleting crops except cotton, tobacco, sugar beets, and flax. The general soil depleting base for any farm shall be the difference between the total soil depleting base and the sum of any cotton, tobacco, sugar beet, and flax soil depleting bases.

SEC. 3. *Soil Depleting Bases for Individual Crops*—(a) *Cotton and Tobacco.*—The county committee may recommend for approval by the Secretary, as part of the total soil depleting base, a cotton soil depleting base and a separate tobacco soil depleting base for Burley, dark air-cured, cigar leaf, and Eastern Ohio Export tobaccos, respectively. Any such bases shall be equal to the acreages which were established for such farm under the procedure for adjustment programs for 1936, or which could have been established under such procedure, except that any cigar leaf tobacco bases shall be an acreage equal to one-half the sum of the following acreages:

(A–1) the 1935 harvested cigar leaf tobacco acreages;

(A–2) the 1935 cigar leaf tobacco base acreage which was established, or which could have been established under the procedure for the 1935 cigar leaf tobacco adjustment program; and

(A–3) the cigar leaf tobacco contracted acreage on farms on which a 1935 cigar leaf tobacco base was established under the 1935 cigar leaf tobacco adjustment program. The bases so determined shall be subject to the following adjustments:

(1) If, under the procedure for adjustment programs for 1936, the sum of the cotton and tobacco acreages for any farm exceeds the annual average of the total acreage of such crops harvested in a representative period preceding 1934, such acreages shall be adjusted downward to eliminate such excess.

(2) Where the cotton and tobacco acreage for any farm determined as heretofore indicated is materially greater or less than the acreage of cotton and tobacco, respectively, determined for farms in the same community which are similar with respect to size, type of soil, topography, production facilities, and farming practices, such adjustment shall be made as will result in a cotton soil depleting base and a tobacco soil depleting base, respectively, which are equitable as compared with such bases for such other similar farms.

(3) Upon request by the operator of any farm, a soil depleting base for cotton or tobacco smaller than that determined as hereinbefore indicated may be recommended by the County Committee.

The sum of the cotton soil depleting bases and of the tobacco soil depleting bases, respectively, for the farms in any county or other specified area, shall not exceed an acreage for cotton and for tobacco, respectively, established for such county or other specified area by the Agricultural Adjustment Administration.

(b) *Sugar Beets and Flax*—

(1) The sugar beet soil depleting base shall be equal to the number of acres used for the growing of sugar beets in 1936 not in excess of the total soil depleting base less the sum of any cotton and tobacco soil depleting bases.

(2) The flax soil depleting base shall be equal to the number of acres used for the growing of flax in 1936 not in excess of the total soil depleting base less the sum of any cotton, tobacco, and sugar beet soil depleting bases.

SEC. 4. *Appeals.*—Any person who has reason to believe that any base recommended for his farm is not equitable may request the County Committee to reconsider its recom-

mendation. If no agreement is reached between such person and such Committee, an appeal may be taken in accordance with such rules as may be prescribed by the Secretary.

Part IV. Classification of Crops

Farm land when devoted to the crops and uses indicated hereinafter shall be classified as follows, except for such additions or modifications as may be recommended by the State Committee, or the Agricultural Adjustment Administration and approved by the Secretary. If any acreage on the farm is used for the production of interplanted crops, the actual acreage of each interplanted crop shall be classified in accordance with the classifications contained herein.

If any acreage planted to sugar beets or flax is subsequently planted to a different soil depleting crop for harvest in 1936 other than a crop for emergency forage purposes planted after June 30, 1936, such acreage shall be classified in accordance with the classification of such subsequently planted crop. If any acreage planted to sugar beets or flax is not subsequently planted to a different soil depleting crop for harvest in 1936, other than a crop for emergency forage purposes planted after June 30, 1936, such acreage shall be classified as sugar beet or flax acreage, as the case may be.

SECTION 1. *Soil Depleting Crops.*—Land devoted to any of the crops listed in this Section 1 or such other similar crops as are designated by the Director of the North Central Division shall be regarded as used for the production of a soil depleting crop for the year in which such crop is normally harvested, except as otherwise provided in Section 2:

(a) Corn (field, sweet, broom, and popcorn).
(b) Cotton.
(c) Tobacco.
(d) Potatoes.
(e) Rice.
(f) Sugar beets.
(g) Hemp.
(h) Cultivated sunflowers.
(i) Melons, strawberries, sweet potatoes, and other truck and vegetable crops.
(j) Grain sorghums and sweet sorghums.
(k) Wheat, oats, barley, rye, buckwheat, flax, rape, emmer, speltz, and grain mixtures.
(l) Millet and sudan grass.
(m) Soybeans, field beans, cowpeas, and field peas.
(n) Except as provided in item (k) of Section 2 of Part IV, any acreage of crop land in 1936 which, before July 1, 1936, is not used for the production of a soil conserving or a soil depleting crop, or is not devoted to a neutral use as provided in Section 3 of this Part IV, shall be regarded as used for the production of a soil depleting crop.
(o) Summer fallow in 1936.
(p) Bulbs and flowers.

SEC. 2. *Soil Conserving Crops.*—Except as otherwise provided herein, land not devoted to a soil depleting crop within the meaning of Section 1 of Part IV, shall be regarded as devoted to the production of a soil conserving crop in such year, provided, (1) there is a good stand of any of the crops listed in this Section 2 or such other similar crops as are designated by the Director of the North Central Division on such land on the date as of which final inspection of the farm is made for the purpose of determining performance; or (2) satisfactory evidence is presented showing that there was a good stand of any of the crops listed in this Section 2, or such other similar crops as are designated by the Director of the North Central Division on such land some time during 1936; or (3) when a good stand of any of the crops listed in this Section 2, or such other similar crops as are designated by the Director of the North Central Division seeded in 1936 was not obtained due to uncontrollable natural causes, except as provided in items (k), (q), (r), and (s) of this Section 2, satisfactory evidence is presented showing that such land was properly seeded to any of such crops in accordance with good farming practices.

Land not planted to a soil depleting crop for harvest in 1935 shall be regarded as used for the production of a soil conserving crop in such year if such land was used for the growing of any of the crops listed in this Section 2, or such other crops as are designated by the Director of the North Central Division.

Any acreage of rye, oats, wheat, barley, or grain mixtures used as a nurse crop clipped green or pastured sufficiently to prevent grain formation as specified in any item of this Section 2 and any acreage fallowed as specified in subdivision (2) of item (o) of this Section 2, shall be regarded as devoted to the production of a soil conserving crop only if such acreage is in a solid block contiguous to the entire side or end of a field and the line between the clipped, pastured, or fallowed portion and the remaining portion of the field is straight.

The classification of any land planted prior to 1936 to any of the crops listed in this Section 2, or such other crops as are designated by the Director of the North Central Division, and used in 1936 for the growing of any such crops, shall not be changed because after June 30, 1936, such land is plowed or planted to a soil depleting crop for harvest in 1937. The classification of any land planted in 1936 to any of the crops listed in this Section 2, or such other crops as are designated by the Director of the North Central Division (except soybeans, field beans, cowpeas, and field peas) after any such crop has attained at least 90 days' growth, shall not be changed because such land is plowed or planted to a soil depleting crop for harvest in 1937.

The classification of any land shall not be changed because after June 30, 1936, there is planted on such land a crop for emergency forage purposes, provided that the planting of such emergency forage crop does not involve the destruction of a good stand of a soil conserving crop.

(a) *Perennial grasses.*—Bluegrass, dallis, timothy, redtop, orchard grass, bermuda grass, carpet grass, bromegrass, crested wheat grass, slender wheat grass, western wheat grass, grama grasses, buffalo grass, reed canary grass, bluestem grasses, Koeleria, perennial rye-grass, meadow fescue, and grass mixtures, with or without such nurse crops as rye, oats, wheat, barley, or grain mixtures, when such nurse crops are clipped green or pastured sufficiently to prevent grain formation.

(b) *Annual Legumes for all Acres Except Area "B".*—Vetch, bur-clover, crimson clover, crotolaria, annual lespedeza, sesbania, and annual sweet clover (Hubam), with or without such nurse crops as rye, oats, wheat, barley, or grain mixtures, when such nurse crops are clipped green or pastured sufficiently to prevent grain formation; soybeans, field peas, field beans, and cowpeas, provided a good vegetative growth of any of such crops is incorporated into the soil as green manure by plowing or discing before October 1, 1936, after having attained at least 60 days' growth.

(c) *Annual Legumes for Area "B".*—Vetch, field peas, field beans, bur clover, crimson clover, soybeans unless harvested for crushing, cowpeas, velvet beans, crotolaria, annual lespedeza, sesbania, and annual sweet clover (Hubam), with or without such nurse crops as rye, oats, wheat, barley, or grain mixtures, when such nurse crops are clipped green or pastured, sufficiently to prevent grain formation.

(d) *Biennial Legumes.*—Sweet, red alsike, and mammoth clovers, with or without such nurse crops as rye, oats, wheat, barley, or grain mixtures, when such nurse crops are clipped green or pastured sufficiently to prevent grain formation.

(e) *Perennial Legumes.*—Alfalfa, Kudzu, sericea, and white clover, with or without such nurse crops as rye, oats, wheat, barley, or grain mixtures, when such nurse crops are clipped green or pastured sufficiently to prevent grain formation.

(f) *Mixtures.*—Mixtures of legumes classified as soil conserving or mixtures of grasses and legumes, both classified as soil conserving, with or without such nurse crops as rye, oats, wheat, or barley, when such nurse crops are clipped green or pastured sufficiently to prevent grain formation.

(g) *Green Manure Crops.*—Wheat, oats, barley, rye, buckwheat, flax, rape emmer, speltz, and grain mixtures, whether pastured or not, provided they are incorporated into the soil as green manure by plowing or discing before July 1, 1936, and followed by a crop, classified as soil conserving, seeded before October 1, 1936, without a nurse crop or with a nurse

crop, provided there is evidence that such nurse crop was seeded at a rate not in excess of one-half the normal rate of seeding such crop alone for grain.

(h) *Winter Cover Crops in Orchards and Vineyards.*—Rye, oats, barley, buckwheat, annual grasses, mixtures of these or mixtures of any of these with legumes seeded as a winter cover crop on crop land in orchards and vineyards, provided they are incorporated into the soil by plowing or discing between March 1, 1936, and June 30, 1936, inclusive, and provided further that the crop is not pastured or harvested for grain or hay.

(i) *Forest Trees.*—Forest trees planted on crop land since January 1, 1934.

(j) *Summer Fallow.*—Acreage summer fallowed, if first cultivated before July 1, 1936, and followed by a crop classified as soil conserving, seeded before October 1, 1936, without a nurse crop or with a nurse crop, provided there is evidence that such nurse crop was seeded at a rate not in excess of one-half the normal rate of seeding such crop alone for grain.

(k) *Acreage First Cultivated After June 30, 1936.*—Any acreage cultivated for the first time in 1936 after June 30, 1936, upon which no soil depleting crop was harvested in 1936 or upon which no soil depleting crop was planted in 1936 for harvest in 1936, provided, (1) there is on such acreage, on the date as of which final inspection of the farm is made for the purpose of determining performance, a good stand of a soil conserving crop which would normally survive the winter, and (2) if a nurse crop is seeded with such soil conserving crop, there is evidence that such nurse crop was seeded at a rate not in excess of one-half the normal rate of seeding such crop alone for grain.

(l) *Weed Control.*—Any acreage of crop land in 1936 clean cultivated or treated with a chlorate for the eradication of one or more of the perennial noxious weeds designated herein as such for the State in which such practice is undertaken shall be regarded as used for the production of soil conserving crops, provided, (1) the county committee has determined after inspection and prior to the date of first cultivation or first application of a chlorate, that perennial noxious weeds existed to such an extent as to have constituted a menace upon the farm; (2) written approval of the practice of clean cultivation or treatment with a chlorate for perennial noxious weed control in the area so infested was obtained from the county committee prior to the date of first cultivation or first treatment with a chlorate; (3) such clean cultivation completely prevented the growth after July 1, 1936, of noxious weeds on the acreage upon which such practice was followed, or that a sufficient amount of a chlorate was applied to the infested area to eradicate the noxious weeds, and that such noxious weed control measures were practiced on the remainder of the farm as prevented the ripening of seeds and further infestation of such perennial noxious weeds.

The weeds designated as perennial noxious weeds for the respective States in the North Central Region are as follows:

Ohio.—Bindweed or wild morning-glory (Convolvulus arvensis), Canada thistle (Cirsium arvense), quackgrass (Agropyron repens).

Indiana.—Bindweed or wild morning-glory (Convolvulus arvensis), Canada thistle (Cirsium arvense), horse nettle (Solanum Carolinense), quackgrass (Agropyron repens), perennial sowthistle (Sonchus arvensis).

Illinois.—Canada thistle (Cirsium arvense), perennial sowthistle (Sonchus arvensis), quackgrass (Agropyron repens).

Michigan.—Bindweed or wild morning-glory (Convolvulus arvensis, Canada thistle (Cirsium arvense), perennial sowthistle (Sonchus arvensis), horse nettle (Solanum Carolinense), quackgrass (Agropyron repens).

Wisconsin.—Bindweed or wild morning-glory (Convolvulus arvensis), leafy spurge (Euphorbia esula), Canada thistle (Cirsium arvense), perennial sowthistle (Sonchus arvensis), horse nettle (Solanum Carolinense), quackgrass (Agropyron repens).

Minnesota.—Bindweed or wild morning-glory (Convolvulus arvensis), leafy spurge (Euphorbia esula), Canada thistle (Cirsium arvense), Hoary cress or perennial peppergrass (Lepidium draba), perennial sowthistle (Sonchus arvensis), horse nettle (Solanum Carolinense), quackgrass (Agropyron repens).

Iowa.—Bindweed or wild morning-glory (Convolvulus arvensis), leafy spurge (Euphorbia esula), Russian knapweed (Centaurea repens), Canada thistle (Cirsium arvense), Hoary cress or perennial peppergrass (Lepidium draba), perennial sowthistle (Sonchus arvensis), horse nettle (Solanum Carolinense), quackgrass (Agropyron repens), silver-leaved poverty weed or white weed (Franseria discolor).

Missouri.—Canada thistle (Cirsium arvense), bindweed or wild morning-glory (Convolvulus arvense), in Nodaway, Holt, and Jackson counties.

South Dakota.—Bindweed or wild morning-glory (Convolvulus arvensis), leafy spurge (Euphorbia esula), Hoary cress or perennial peppergrass (Lepidium draba), Canada thistle (Cirsium arvense).

Nebraska.—Bindweed or wild morning-glory (Convolvulus arvensis), leafy spurge (Euphorbia esula), Russian knapweed (Centaurea repens), Canada thistle (Cirsium arvense), Hoary cress or perennial peppergrass (Lepidium draba), perennial sowthistle (Sonchus arvensis), horse nettle (Solanum Carolinense), quackgrass (Agropyron repens), silver-leaved poverty weed or white weed (Franzeria discolor).

(m) *For Area "A".*—Sudan grass.

(n) *For Area "A."*—Rye seeded at the rate of not less than 20 and not more than 35 pounds per acre as a nurse crop for seeded or volunteer perennial grasses, on land which in accordance with good farming practice should be permanently devoted to grass, provided, (1) neither of such crops is pastured or harvested for grain or hay; (2) the land so designated is subject to wind erosion; (3) the operator or owner has stated in writing his intention to let the area upon which he intends to use rye as a nurse crop revert to grass; (4) written approval has been obtained from the county committee.

(o) *For Area "A."*—(1) The acreage of crop land in strips of fallow cultivated sufficiently to prevent weed growth and conserve moisture, such strips to be not less than three rods and not more than fifteen rods in width, running at right angles to the prevailing wind with intervening strips of approximately the same width of stubble or crops, and (2) the acreage of crop land in fields of fallow cultivated sufficiently to prevent weed growth and conserve moisture, and so that the surface of the soil is left ridged and rough with dead stubble and plant growth left on or near the surface to prevent erosion, shall be regarded as used for the production of soil conserving crops.

(p) *For Area "B."*—Rye, barley, oats, and small grain mixtures, seeded in the fall of 1935, not pastured after March 15, 1936, provided they are incorporated into the soil as green manure crops by plowing or discing before July 1, 1936, if no soil depleting crop, other than a crop for emergency forage purposes, is planted for harvest in 1936.

(q) *Small Grains Cut for Hay or Where Grain Formation Prevented by Uncontrollable Natural Causes.*—Any acreage upon which wheat, oats, barley, rye, emmer, speltz, or grain mixtures are cut for hay or where grain formation is prevented by uncontrollable natural causes, provided, (1) there is on such acreage, on the date as of which final inspection of the farm is made for the purpose of determining performance, a good stand of a soil conserving crop which would normally survive the winter, and (2) if a nurse crop is seeded with such soil conserving crop there is evidence that such nurse crop was seeded at a rate not in excess of one-half the normal rate of seeding such crop alone for grain.

(r) *Small Grains Seeded Alone Where Grain Formation Prevented by Pasturing.*—Any acreage upon which wheat, oats, barley, rye, emmer, speltz, or grain mixtures seeded alone are pastured sufficiently to prevent grain formation, provided, (1) there is on such acreage, on the date as of which final inspection of the farm is made for the purpose of determining performance, a good stand of a soil conserving crop which would normally survive the winter, and (2) if a nurse crop is seeded with such soil conserving crop there is evidence that such nurse crop was seeded at a rate not in

excess of one-half the normal rate of seeding such crop alone for grain.

(s) *For all Areas Except Area "B".*—Any acreage upon which soybeans, cowpeas, field beans, or field peas are cut for hay in 1936, or where vegetative growth is prevented by uncontrollable natural causes, provided (1) there is on such acreage, on the date as of which final inspection of the farm is made for the purpose of determining performance, a good stand of a soil conserving crop which would normally survive the winter, and (2) if a nurse crop is seeded with such soil conserving crop there is evidence that such nurse crop was seeded at a rate not in excess of one-half the normal rate of seeding such crop alone for grain.

SEC. 3. *Neutral Uses.*—Land devoted to the uses listed in this Section 3 or such other similar uses as are designated by the Director of the North Central Division shall be regarded as not used for the production of a soil depleting crop or a soil conserving crop:

(a) Vineyards, orchards, production of fruits, nuts, and nursery stock.

(b) Roads, lanes, lots, yards, and other non-cropland.

(c) Woodland other than cropland planted to forest trees since January 1, 1934.

(d) Idle cropland in 1935 unless such cropland was left idle in 1935 because of unusual weather conditions and is reclassified.

(e) Summer fallow in 1935.

(f) *For all Areas Except Area "A".*—An acreage of idle cropland and cropland summer fallowed in 1936 not in excess of the sum of the acreage of idle and fallow cropland on a farm in 1935 less the number of acres by which the total soil depleting base established for such farm exceeds the acreage of soil depleting crops planted on such farm in 1935.

(g) *For Area "A".*—An acreage of idle cropland in 1936 not in excess of the acreage of idle cropland on a farm in 1935 less the number of acres by which the total soil depleting base established for such farm exceeds the acreage of soil depleting crops planted on such farm in 1935.

Part V. Miscellaneous Provisions

SECTION 1. *Land to be Covered by Work Sheet.*—(a) Where one or more farms in the same county are under the same ownership and are operated in 1936 as part or all of a single farming unit by the same operator, such farm or farms shall be covered by one work sheet.

(b) Where two or more farms in the same county are under different ownerships, even though they are operated in 1936 as part or all of a single farming unit by the same operator, each separately owned farm shall be covered by a separate work sheet.

(c) Where two or more farms in the same county are under the same ownership and are operated in 1936 as separate farming units, each separately operated farm shall be covered by a separate work sheet.

(d) Where land comprising part of a farming unit is rented on shares and land comprising part of the same farming unit used for hay, meadow, pasture, or other similar uses is rented for cash from the same landlord, it will not be necessary to execute more than one work sheet for both such share-rented and such cash-rented land.

(e) Where land comprising part of a farming unit is rented on shares and land comprising part of the same farming unit not used for hay, meadow, pasture, or other similar uses is rented for cash from the same or a different landlord, it will be necessary to execute a work sheet for such share-rented land and a separate work sheet for such cash-rented land.

(f) For purposes of execution of the work sheet, a farm consisting of adjacent tracts under the same ownership, located in two or more counties and operated in 1936 as part or all of a single farming unit by the same operator, shall be regarded as located in the county in which the principal dwelling on such farm is located, or, if there is no dwelling on such farm, as located in the county in which the major portion of such farm is located.

(g) Form No. NCR-1, entitled "Work Sheet—North Central Region—1936 Agricultural Conservation Program" is to be used in connection with the establishment of soil depleting bases for farms in the North Central Region.

SEC. 2. *Application and Eligibility for Payment.*—(a) Payments will only be made upon application filed with the County Committee. Each person applying for payment will be required to show that work sheets have been executed covering all land in the county owned or operated by him and the extent to which the conditions upon which the payment is to be made have been met. Any person applying for payment who owns or operates land in more than one county in the same State may be required to file in the office of the State Committee a list of all such land.

(b) An application for payment may be made by: (1) An owner operating a farm owned by him; (2) a share-tenant operating a farm rented by him on shares; (3) an owner of a farm who has rented a farm to another on shares; (4) such other persons as may be designated by the Secretary.

(c) For the purpose of determining the eligibility of an operator for payment where the farming unit operated by him includes a farm or farms located in two or more adjoining counties, such farm or farms shall be regarded as located in the county in which the principal dwelling on such farming unit, such farm or farms shall be regarded as located in the county in which the major portion of such farming unit is located.

(d) The eligibility of a person for payment in a county shall, subject to the provisions of Section 8 of Part V, be determined by: (1) the performance on all farms in the county (or regarded as being in the county) owned and operated by him; (2) the performance on all farms in the county (or regarded as being in the county) operated by him and rented on shares from another; (3) the performance on all farms in the county owned by him and rented on shares to another.

(e) No person whose right to receive any portion of any crop grown on a farm with respect to which any payment may be made pursuant to the provisions of bulletins issued in connection with the 1936 Agricultural Conservation Program in the North Central Region, arises and exists solely by virtue of a creditor relationship to the owner of or share-tenant or sharecropper on such farm shall be eligible to make application for a grant except as may hereafter be provided. The terms owner, operator, share-tenant, or sharecropper shall not be deemed to include any person whose interest in or share of any crop grown on a farm in 1936 is acquired or received solely as payment or security for a debt unless such person has become the legal and beneficial owner of such farm.

(f) The term "owner" as used in bulletins issued in connection with the 1936 Agricultural Conservation Program in the North Central Region does not refer exclusively to a person who has the legal title to a farm, but is intended to describe the person who for 1936 has the right to possession or control of a farm and to the profits or rents therefrom. If a farm is operated by one who rents it on shares from another, the latter, is, for the purposes of the program, regarded as the owner of such farm. A person's status as owner of a farm is, for the purposes of the 1936 Agricultural Conservation Program in the North Central Region, not affected by the fact that he is or becomes the obligor upon any instrument relating to the farm as security for a debt.

(g) For the purposes of the 1936 Agricultural Conservation Program in the North Central Region, a person will be regarded as owning more than one farm only if he occupies a similar or comparable status with respect to all such farms. The following examples are illustrations of the application of the rule to be observed in determining whether a person owns more than one farm; (1) If one farm is owned solely by a person and another farm is owned only in part by such person, such farms will be regarded as owned by different persons; (2) If a person owns and operates one farm and owns another farm which he has rented on shares to another, such farms will be regarded as owned by the same person; (3) If a person owns a one-

third interest in one farm with one party, and such person owns a one-half interest in another farm with another party, such farms will be regarded as owned by different persons; if such person owned such two farms with the same party, such farms will be regarded as owned by the same person; (4) If a person as owner is entitled to receive under his leasing agreement with respect to one farm 40 percent of the crops produced thereon, or the proceeds thereof, and such person is entitled to receive under his leasing agreement with respect to another farm 50 percent of the crops and livestock produced thereon, or the proceeds thereof, such farms will be regarded as owned by the same person; (5) If one farm is owned by a person in his individual capacity and another farm is owned by the same person in a representative or fiduciary capacity, such farms will be regarded as owned by different persons; (6) If more than one farm is owned by the same person who acts in a different representative or fiduciary capacity with respect to each such farm, such farms will be regarded as owned by different persons; (7) If a person's rights to the profits or rents from more than one farm arise under separate written instruments which severally provide that such profits or rents are to be credited to the accounts of the persons transferring such rights, such farms will be regarded as owned by different persons; for example, where a person's rights to the profits or rents from one farm in a county arise under a grant of possession from one party containing a provision like that hereinbefore described and such person's rights to the profits or rents from a second farm in such county arise from a similar grant of possession from another party, and such person also has rights to the profits or rents from a third farm in the county not arising from any grant of possession, such three farms will be regarded as owned by three different persons.

In determining whether a person operates more than one farm in the county, the rule hereinbefore outlined with respect to a farm, except as provided in items (d) and (e)

SEC. 3. *Division of Payments.*—(a) All payments made with respect to a farm, except as provided in items (d) and (e) of this Section 3, shall be divided among owners, share-tenants, and sharecroppers in the same proportion as the principal soil depleting crop, or the proceeds thereof, is divided under their lease or operating agreement. The term "principal soil depleting crop" as used herein means the soil depleting crop to which the greatest number of acres on the farm is devoted. If there is no soil depleting crop which has a larger acreage than any other soil depleting crop on the farm, the principal soil depleting crop shall be the soil depleting crop on the farm which is of major importance in terms of acreage in the county in which such farm is located.

(b) Any share of payments shall be computed without regard to questions of title under State law without deductions of claims for advances, and without regard to any claim or lien against the crop, or proceeds thereof, in favor of the owner or any other creditor.

(c) If the Secretary, upon the basis of an investigation by the State committee, finds that any person has for 1936 made any change from the 1935 leasing or cropping arrangement for the farm, for the purpose of, or which would have the effect of, diverting to such person any payment to which tenants or share-croppers would be entitled if the 1935 leasing or cropping arrangement were in effect for 1936, the amount of any payment which would otherwise be made to such person may be withheld in whole or in part.

(d) On farms in Areas "B" and "C" on which cotton is grown in 1936 and which have a cotton base, the division of all payments among owners, share-tenants, and sharecroppers shall be as follows:

(1) *Soil Conserving Payment.*—The soil conserving payment shall be divided as follows. (a–1) 37½ percent to the person who furnishes the land; (b–1) 12½ percent to the owner, share-tenant, or sharecropper who furnishes the workstock and equipment; (c–1) 50 percent to be divided among the persons who are parties to the lease or operating agreement in the proportion that such persons are entitled to share in 1936 in those soil depleting crops, or the proceeds thereof, with respect to which the soil conserving payment is made.

(2) *Soil Building Payment.*—The soil building payment shall be made to the eligible owner, share-tenant, or sharecropper who the county committee determines under instructions issued by the Secretary has incurred the expense in 1936 with respect to the soil building practices for which the soil building payment is to be made; where two or more persons are thus determined by the county committee to have incurred the expense in 1936 with respect to the soil building practices, the soil building payments shall be divided equally between such persons.

(e) On farms operated with the aid of sharecroppers, except farms in Areas "B" and "C" on which cotton is grown in 1936 and which have a cotton base, the division of all payments among owners, share-tenants, and sharecroppers shall be as follows:

(1) *Soil Conserving Payment.*—The soil conserving payment shall be divided among the persons who are parties to the lease or operating agreement in the proportion that such persons are entitled to share in 1936 in those soil depleting crops, or the proceeds thereof, with respect to which the soil conserving payment is made.

(2) *Soil Building Payment.*—The soil building payment shall be made to the eligible owner, share-tenant, or sharecropper who the county committee determines, under instructions issued by the Secretary, has incurred the expense in 1936 with respect to the soil building practices for which the soil building payment is to be made; where two or more persons are thus determined by the county committee to have incurred the expense in 1936 with respect to such soil building practices, the soil building payments shall be divided equally between such persons.

SEC. 4. *Total Amount of Soil Conserving Payments for Diversion from Crops in the General Soil Depleting Base Where a Person Owns or Operates More Than One Farm in a County and Makes an Application for Payment with Respect to One or More of Such Farms.*—If a person owns or operates more than one farm in a county and makes an application for payment with respect to one or more of such farms, the total amount of the soil conserving payment to such person for diversion from crops in the general soil depleting base shall, subject to the provisions of Section 5, 7, 8, 9, and 10, of Part V, be computed as follows:

(a) For each farm owned or operated in the county with respect to which such person makes an application for payment, multiply the computed 1935 general acreage by the rate determined for such farm pursuant to the provisions of Section 2 (a) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V.

(b) Add the amounts obtained under subsection (a) of this section 4.

(c) For each farm owned or operated in the county with respect to which such person makes an application for payment, multiply the general soil depleting base by the rate determined for such farm pursuant to the provisions of Section 2 (a) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V.

(d) Add the amounts obtained under subsection (c) of this Section 4.

(e) For each farm owned or operated in the county with respect to which such person makes an application for payment, multiply the 1936 general acreage by the rate determined for such farm pursuant to the provisions of Section 2 (a) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V.

(f) Add the amounts obtained under subsection (e) of this Section 4.

(g) For each farm owned or operated in the county with respect to which such person makes an application for payment, multiply the general soil depleting base by 85 percent;

multiply this result by the rate determined for such farm pursuant to the provisions of Section 2 (a) of Part II, and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V.

(h) Add the amounts obtained under subsection (g) of this Section 4.

(i) Ascertain which of the amounts obtained under subsections (b) and (d) of this Section 4 is the larger.

(j) For each farm owned or operated in the county with respect to which such person makes an application for payment, multiply the maximum general soil conserving payment by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V.

(k) Add the amounts obtained under subsection (j) of this Section 4.

(l) If the amount obtained under subsection (f) of this Section 4 is less than the amount ascertained under subsection (i) of this Section 4, subtract the amount obtained under such subsection (f) from the amount ascertained under such subsection (i). If the amount obtained under subsection (f) of this Section 4 is not less than the amount ascertained under subsection (i) of this Section 4, the calculations outlined in subsections (m) to (p), inclusive, of this Section 4 need not be made since a deduction must be calculated as hereinafter outlined.

(m) Subtract the amount obtained under subsection (h) of this Section 4 from the amount ascertained under subsection (i) of this Section 4.

(n) Multiply the amount obtained under subsection (l) of this Section 4 by the amount obtained under subsection (k) of this Section 4.

(o) Divide the amount obtained under subsection (n) of this Section 4 by the amount obtained under subsection (m).

(p) Whichever of the amounts obtained under subsections (o) and (k) of this Section 4 is the smaller shall, subject to the provisions of the first paragraph of this Section 4, be the amount of the soil conserving payment for diversion from crops in the general soil depleting base to such person.

If the amount obtained under subsection (f) of this Section 4 is greater than the amount ascertained under subsection (i) of this Section 4, a deduction will be made from any payments which would otherwise be made to such person for performance on farms owned or operated in the county with respect to which he makes an application for payment. The amount of any such deduction shall be equal to the result obtained by subtracting the result ascertained under subsection (i) of this Section 4 from the amount obtained under subsection (f) of this Section 4.

SEC. 5. *Total Amount of Cotton and Tobacco Soil Conserving Payments and Payments with Respect to Sugar Beets and Flax Where a Person Owns or Operates More Than One Farm in a County and Makes an Application for Payment with Respect to One or More of Such Farms.*—If a person owns or operates more than one farm in a county and makes an application for payment with respect to one or more of such farms, the total amount of the cotton and tobacco soil conserving payments and payments made with respect to sugar beets and flax to such person shall, subject to the provisions of Sections 4, 7, 8, 9, and 10 of Part V, be computed as follows:

(a) For each farm owned or operated in the county with respect to which such person makes an application for payment: (1) Multiply the number of acres diverted from the cotton soil depleting base by the rate determined for such farm pursuant to the provisions of Section 2 (b) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V; (2) Multiply the number of acres diverted from the soil depleting base for each kind of tobacco by the rate determined for such farm for such kind of tobacco pursuant to the provisions of Section 2 (c) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V; (3) Multiply the acreage allotment for sugar beets by the rate per acre determined for such farm pursuant to the provisions of Section 3 of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V; (4) Multiply the acreage allotment for flax by the rate per acre determined for such farm pursuant to the provisions of Section 4 of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V.

(b) For each farm owned or operated in the county with respect to which such person makes an application for payment and on which there has been: (1) An increase in the acreage of cotton over the cotton soil depleting base, multiply such number of excess acres by the rate determined for such farm pursuant to the provisions of Section 2 (b) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V; (2) An increase in the acreage of any kind of tobacco over the soil depleting base for such kind of tobacco, multiply such number of excess acres by the rate determined for such farm for such kind of tobacco pursuant to the provisions of Section 2 (c) of Part II and multiply this result by the percentage to be determined in accordance with Section 3 of Part V; (3) An increase in the acreage of sugar beets over the sugar beet soil depleting base, multiply such number of excess acres by the rate determined for such farm pursuant to the provisions of Section 2 (a) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V; (4) An increase in the acreage of flax over the flax soil depleting base, multiply such number of excess acres by the rate determined for such farm pursuant to the provisions of Section 2 (a) of Part II and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V.

(c) The sum of the amounts obtained under subsection (b) of this Section 5 for farms with respect to which such person makes an application for payment shall be subtracted from the sum of the amounts obtained under subsection (a) of this Section 5 for such farms. If the sum obtained under subsection (b) is greater than the sum obtained under subsection (a), the amount by which the sum obtained under subsection (b) exceeds the sum obtained under subsection (a) shall be deducted from any payments which otherwise would be made to such person for performance on farms owned or operated in the county by such person in 1936 with respect to which he makes an application for payment: *Provided*, That:

(1) The total amount of the soil conserving payment to such person for diversion from cotton and tobacco soil depleting bases, respectively, shall not exceed the sum of his shares (determined in accordance with the provisions of Section 3 of Part V) of the maximum cotton soil conserving payment and of the maximum tobacco soil conserving payment, respectively, for each farm in the county with respect to which such person makes an application for payment.

(2) The total amount of the payments to such person with respect to sugar beets and flax, respectively, shall not exceed the sum of his shares (determined in accordance with the provisions of Section 3 of Part V) of the maximum payments with respect to sugar beets and flax, respectively, as specified in Sections 3 and 4, respectively, of Part II, for each farm in the county with respect to which such person makes an application for payment.

SEC. 6. *Total Amount of Soil Building Payment if a Person Owns or Operates More Than One Farm in a County and Makes an Application for Payment with Respect to One or More of Such Farms.*—If a person owns or operates more than one farm in a county and makes an application for payment with respect to one or more of such farms, the total

amount of the soil building payment to such person shall, subject to the provisions of Sections 4, 5, 8, 9, and 10, of Part V, be computed as follows:

(a) For each farm owned or operated in the county with respect to which such person makes an application for payment: Multiply the number of acres devoted to an approved soil building practice by the rate specified for such practice and multiply this result by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V.

(b) Add the amounts obtained under subsection (a) of this Section 6.

Provided, however, The total amount of the soil building payment to such person shall not exceed an amount computed as follows:

(1) For each farm owned or operated in the county with respect to which such person makes an application for payment, compute the amount of soil building allowance and multiply such amount by the percentage to which such person is entitled, such percentage to be determined in accordance with Section 3 of Part V.

(2) Add the amounts obtained under subsection (1) of this Section 6.

SEC. 7. *Deduction for Failure to Have Minimum Acreage Devoted to the Production of Soil Conserving Crops if a Person Owns or Operates More Than One Farm in a County and Makes an Application for Payment with Respect to One or More of Such Farms.*—If a person owns or operates more than one farm in a county and makes an application for payment with respect to one or more of such farms, and if the number of acres obtained by:

(A–1) Determining the number of acres of crop land devoted to the production of soil conserving crops on each farm with respect to which such person makes an application for payment;

(A–2) Multiplying the number of acres determined under subsection (A–1) of this Section 7 for each farm with respect to which such person makes an application for payment by the percentage representing such person's share in any soil conserving payment made with respect to such farm, such percentage to be determined in accordance with Section 3 of Part V;

(A–3) Adding the number of acres obtained under subsection (A–2) of this Section 7 for each such farm;

does not equal or exceed the number of acres obtained by:

(B–1) Determining the number of acres for each farm with respect to which such person makes an application for payment equal to the sum of:

15 percent of the general soil depleting base, 20 percent of the cotton soil depleting base, 20 percent of the tobacco soil depleting base, 25 percent of the sugar beet soil depleting base, 20 percent of the flax soil depleting base,

(B–2) Multiplying the number of acres determined under subsection (B–1) of this Section 7 for each farm with respect to which such person makes an application for payment by the percentage representing such person's share in any soil conserving payment made with respect to such farm, such percentage to be determined in accordance with Section 3 of Part V;

(B–3) Adding the number of acres obtained under subsection (B–2) of this Section 7 for each such farm:

There shall be deducted from any payments other than any soil building payment which would otherwise be made to such person for performance on farms owned or operated in the county by such person in 1936 with respect to which he makes an application for payment an amount obtained by subtracting from the number of acres obtained under subsection (B–3) of this Section, the number of acres obtained under (A–3) of this Section 7, and multiplying this difference by an amount equal to one and one-half times the rate per acre applicable to the farm having the highest rate determined pursuant to the provisions of Section 2 (a) of Part II.

SEC. 8. *Farm in Another County.*—If any person who has made an application for payment with respect to any farm in a county has an interest, as owner or share-tenant, in a farm in another county on which the acreage used for the production of soil depleting crops in 1936 materially exceeds the acreage normally used for the production of such crops on such other farms, the amount of any payment which otherwise would be made to such person may, in the discretion of the Secretary, be appropriately reduced.

SEC. 9. *Deduction for Increase of 1936 General Acreage on Farms in a County with Respect to Which no Application for Payment is Made by a Person Who Owns or Operates More Than One Farm in Such County.*—If a person owns or operates more than one farm in a county and does not make an application for payment with respect to all such farms and if as a result of:

(a) Multiplying for each farm with respect to which no application for payment is made by such person the computed 1935 general acreage by the rate determined for such farm pursuant to the provisions of Section 2 (a) of Part II and multiplying this result by the percentage to which such person would be entitled, such percentage to be determined in accordance with Section 3 of Part V;

(b) Adding the amounts obtained under subsection (a) of this Section 9;

(c) Multiplying for each farm with respect to which no application for payment is made by such person the general soil depleting base by the rate determined for such farm pursuant to the provisions of Section 2 (a) of Part II and multiplying this result by the percentage to which such person would be entitled, such percentage to be determined in accordance with Section 3 of Part V;

(d) Adding the amounts obtained under subsection (c) of this Section 9;

(e) Multiplying for each farm with respect to which no application for payment is made by such person the 1936 general acreage by the rate determined for such farm pursuant to the provisions of Section 2 (a) of Part II and multiplying this result by the percentage to which such person would be entitled, such percentage to be determined in accordance with Section 3 of Part V;

(f) Adding the amounts obtained under subsection (e) of this Section 9;

(g) Ascertaining which of the amounts obtained under subsections (b) and (d) of this Section 9 is the larger;

the amount obtained under subsection (f) of this Section 9 is greater than the amount ascertained under subsection (g) of this Section 9, a deduction will be made from any payments which would otherwise be made to such person for performance on farms owned or operated by him in the county in 1936 with respect to which he makes an application for payment. The amount of any such deduction shall be equal to the result obtained by subtracting the result ascertained under subsection (g) of this Section 9 from the amount obtained under subsection (f) of this Section 9.

SEC. 10. *Deduction for Increase of Cotton, Tobacco, Sugar Beets, and Flax Over the Cotton, Tobacco, Sugar Beet, and Flax Soil Depleting Bases, Respectively, Where a Person Owns or Operates More Than One Farm in a County and Does Not Make an Application for Payment with Respect to All Such Farms.*—If a person owns or operates more than one farm in a county and does not make an application for payment with respect to all such farms, and if the amount obtained by:

(A–1) Multiplying for each farm with respect to which no application for a payment is made by such person the number of acres by which the 1936 acreage of cotton exceeds the cotton soil depleting base for such farm by the rate determined for such farm pursuant to the provisions of Section 2 (b) of Part II and multiplying this result by the percentage to which such person would be entitled, such percentage to be determined in accordance with Section 3 of Part V;

(A-2) Multiplying for each farm with respect to which no application for payment is made by such person the number of acres by which the 1936 acreage of any kind of tobacco exceeds the soil depleting base for such kind of tobacco for such farm by the rate determined for such farm for such kind of tobacco pursuant to the provisions of Section 2 (c) of Part II and multiplying this result by the percentage to which such person would be entitled such percentage to be determined in accordance with Section 3 of Part V;

(A-3) Multiplying for each farm with respect to which no application for payment is made by such person the number of acres by which the 1936 acreage of sugar beets exceeds the sugar beet soil depleting base by the rate determined for such farm pursuant to the provisions of Section 2 (a) of Part II and multiplying this result by the percentage to which such person would be entitled, such percentage to be determined in accordance with Section 3 of Part V;

(A-4) Multiplying for each farm with respect to which no application for payment is made by such person the number of acres by which the 1936 acreage of flax exceeds the flax soil depleting base by the rate determined for such farm pursuant to the provisions of Section 2 (a) of Part II and multiplying this result by the percentage to which such person would be entitled, such percentage to be determined in accordance with Section 3 of Part V;

(A-5) Adding the amounts obtained under subsections (A-1), (A-2), (A-3), and (A-4) of this Section 10 for all such farms;

is greater than the amount obtained by:

(B-1) Multiplying for each farm with respect to which no application for payment is made by such person the number of acres diverted from the cotton soil depleting base by the rate determined for such farm pursuant to the provisions of Section 2 (b) and multiplying this result by the percentage to which such person would be entitled, such percentage to be determined in accordance with Section 3 of Part V;

(B-2) Multiplying for each farm with respect to which no application for payment is made by such person the number of acres diverted from the soil depleting base for each kind of tobacco by the rate determined for such farm for such kind of tobacco pursuant to the provisions of Section 2 (c) and multiplying this result by the percentage to which such person would be entitled, such percentage to be determined in accordance with Section 3 of Part V;

(B-3) Adding the amounts obtained in subsections (B-1) and (B-2) of this Section 10 for all such farms;

there shall be deducted from any payments which would otherwise be made to such person for performance on farms owned or operated by him in the county in 1936 with respect to which he makes an application for payment the amount obtained by subtracting from the amount obtained under subsection (A-5) of this Section 10 the amount obtained under subsection (B-3) of this Section 10.

SEC. 11. *Determination of Persons to Whom Payment Will be Made.*—Except as may hereafter be provided, for the purposes of the 1936 Agricultural Conservation Program in the North Central Region, a person will not be regarded as the owner or operator of a farm unless such person owned or operated such farm, as the case may be, on June 30, 1936, and has been such owner or operator for a period of at least 60 consecutive days, which period must include June 30, 1936. In the event of death, incompetency, abandonment, or discharge or release from a representative capacity the period of ownership or operation, as the case may be, may, upon recommendation of the county committee and upon approval by the Secretary or his duly authorized representative, be computed as follows:

(a) *In the Event of Death.*—If, because of the death of any party owning or operating a farm, the person, whether the deceased, his heir or heirs, or the duly appointed representative, if any, of such decedent's estate, who owns or operates such farm on June 30, 1936, has not owned or operated such farm, as the case may be, for 60 consecutive days, the period of such person's ownership or operation of such farm, as the case may be, shall be deemed to include the time of ownership or operation of such farm, as the case may be, by the deceased person, his heir or heirs, or the duly appointed representative, if any, of his estate.

(b) *In the Event of Incompetency.*—If, because of the adjudication of incompetency of any person owning or operating a farm, the person, whether the person who was adjudicated incompetent, his relative or relatives, or his duly appointed representative, if any, who owns or operates such farm on June 30, 1936, has not owned or operated such farm, as the case may be, for 60 consecutive days, the period of such person's ownership or operation of such farm, as the case may be, shall be deemed to include the time of ownership or operation, of such farm, as the case may be, by the person who was adjudicated incompetent prior to such adjudication, his relative or relatives, or his duly appointed representative, if any.

(c) *In the Event of Abandonment.*—If, because of abandonment by any party owning or operating a farm, the person, whether the person who has abandoned the farm, his relative or relatives, or his duly appointed representative, if any, who owns or operates such farm on June 30, 1936, as the case may be, has not owned or operated such farm, as the case may be, for 60 consecutive days, the period of such person's ownership or operation of such farm, as the case may be, shall be deemed to include the time of ownership or operation of such farm, as the case may be, by the person who has abandoned such farm, his relative or relatives, or his duly appointed representative, if any.

(d) *In the Event of Discharge or Release from Representative Capacity.*—If, because of the discharge or release from a representative or fiduciary capacity of any party owning or operating a farm, the person, whether the representative or fiduciary who has been discharged or released from his representative or fiduciary capacity or the person or persons who succeed such representative as owner or operator, as the case may be, who owns or operates such farm on June 30, 1936, has not owned or operated such farm, as the case may be, for 60 consecutive days, the period of such person's ownership or operation of such farm, as the case may be, shall be deemed to include the time of ownership or operation of such farm, as the case may be, by the representative who has been released or discharged from his representative or fiduciary capacity and the person or persons who succeed such representative or fiduciary as owner or operator of such farm, as the case may be.

No soil building payment will be made to the person who is regarded as the owner or operator of a farm for any soil building practices carried out on such farm after he has ceased to own or operate such farm, as the case may be. In determining the number of days of ownership or operation, a fraction of a day will be considered as a whole day. In the event more than one person has owned or operated a farm on June 30, 1936, and for 60 consecutive days, the person who has owned or operated such farm prior to June 30, 1936, shall be regarded as the owner or operator of such farm, as the case may be.

For the purpose of this Section 11, the term "operator" shall be deemed to include sharecroppers.

SEC. 12. *Persons Eligible to Execute an Application for Payment and Receive Payment Thereunder Upon Happening of Certain Contingencies On or After July 1, 1936.*—(a) *In the Event of Death:* If an owner or operator of a farm dies on or after July 1, 1936, and before making an application for payment with respect to such farm, the administrator or executor appointed by a court of competent jurisdiction for such decedent's estate will be eligible to make an application for payment with respect to such farm as owner or operator, as the case may be. If an administrator or executor is not appointed for such estate, all the heirs of such decedent will be eligible to make application for payment with respect to such farm as owner or operator, as the case may be.

If prior to his death, the decedent had made an application for payment but did not receive the payment thereunder, such payment will be made to the administrator or executor appointed by a court of competent jurisdiction for such estate. If an administrator or executor is not appointed for such estate, such payment will be made to all the heirs of such decedent.

(b) *In the Event of Incompetency.*—If an owner or operator of a farm is adjudged incompetent by a court of competent jurisdiction on or after July 1, 1936, and before making an application for payment with respect to such farm, the guardian or committee appointed by a court of competent jurisdiction for such incompetent's estate will be eligible to make application for payment with respect to such farm as owner or operator, as the case may be. If the person adjudicated incompetent had, prior to such adjudication, made application for payment but did not receive the payment thereunder, such payment will be made to the guardian or committee appointed by a court of competent jurisdiction for such incompetent's estate.

(c) *In the Event of Abandonment.*—If an owner or operator of a farm abandons such farm on or after July 1, 1936, and before making an application for payment with respect to such farm, the person appointed by a court of competent jurisdiction to control and conserve the assets of the abandoned estate will be eligible to make an application for payment with respect to such farm as owner or operator, as the case may be. If prior to his abandonment, the person who abandons such farm had made an application for payment but did not receive the payment thereunder, such payment will be made to the person appointed by a court of competent jurisdiction to control and conserve the assets of such abandoned estate.

(d) *In the Event of Discharge or Release from Representative Capacity.*—If an administrator, executor, trustee, guardian, committee, receiver, conservator, or other representative or fiduciary who is the owner or operator of a farm, is discharged or released from such representative position by a court of competent jurisdiction on or after July 1, 1936, and before making an application for payment, the person or persons who succeed such representative as owner or operator of such farm will be eligible to execute an application for payment with respect to such farm as owner or operator, as the case may be. If prior to his discharge or release, the person who has been discharged or released from his representative position had made an application for payment but did not receive the payment thereunder, such payment will be made to the person or persons who succeed such representative as owner or operator of such farm.

For the purpose of this Section 12, the term "operator" shall be deemed to include sharecroppers.

SEC. 13. *Fractions.*—(a) All calculations relative to acres, yields, or percentages shall be carried to two decimal places. All entries of acres, yield, or percentages on the application for payment shall be rounded to one decimal place. In rounding numbers to one decimal place, fractions amounting to five hundredths (0.05) or less shall be dropped, and fractions amounting to six hundredths (0.06) or more shall be considered as a tenth of a unit.

(b) All calculations relative to ratios shall be carried to four decimal places. All entries of ratios on the application for payment shall be rounded to three decimal places. In rounding numbers to three decimal places fractions amounting to five ten-thousandths (0.0005) or less shall be dropped and fractions amounting to six ten-thousandths (0.0006) or more shall be considered as a thousandth of a unit.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 17th day of September 1936.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 2259—Filed, September 17, 1936; 12:22 p. m.]

SR—B-1, Revised—Supplement (v)

1936 AGRICULTURAL CONSERVATION PROGRAM—SOUTHERN REGION

BULLETIN NO. 1, REVISED—SUPPLEMENT (V)

Section 3, part V of Southern Region Bulletin No. 1, Revised, is hereby amended by adding at the end thereof the following new subsections:

(i) On farms where there are two or more producers, that portion of the soil-conserving (class I) payment with respect to any soil-depleting base which is divided among producers on a crop-share basis shall be divided among the producers entitled to share in the soil-depleting crop(s) in such base in the proportion that the acreage share of each such producer bears to the total acreage of such crop(s) grown on the farm in 1936; except that—

(1) In cases where the county committee finds (such findings shall be indicated by approval of the application for Payment, Form SR-9, setting forth the division of payment as provided for in this paragraph (1) or paragraph (2) below) that diversion has not been made ratably by all producers on the farm, such portion of such payment to be made to any such producer shall be in the proportion that his contribution to the difference between such base and the 1936 acreage of crop(s) in such base bears to the total difference between such base and the 1936 acreage of crop(s) in such base (the contribution of each producer shall be determined by agreement of all such producers as indicated by their signatures on Form SR-9 and the county committee shall approve such agreement and indicate such approval by its certification of such Form SR-9, unless the committee finds that one or more of such producers did not voluntarily enter into such agreement but was coerced into doing so);

(2) In cases where the county committee finds that diversion has not been made ratably by all producers on the farm and all interested parties do not agree as to their respective contributions to the difference between such base and the 1936 acreage of crop(s) in such base the county committee shall recommend, subject to the approval of the Director of the Southern Division, as each such person's share of such payment, that portion computed in accordance with whichever one of the following is found to be the most equitable and support its recommendation by an accompanying letter setting forth fully the facts on which such recommendation is based:

a. That proportion which his acreage contribution to the difference between such base and the 1936 acreage of crop(s) in such base bears to such difference;

b. That proportion which his acreage share of row crops bears to the total acreage of row crops grown on the farm in 1936;

c. That proportion which his acreage share of the soil-depleting base with respect to which such payment is made bears to such base for the farm.

The Secretary reserves the right to withhold the use of the provisions of paragraphs (1) and (2) of this subsection (i) in any county if he finds that such provisions are being used for the purpose of, or so as to have the effect of, reducing payments to tenants and share-croppers below those which they would otherwise receive.

(j) Where the lease or operating agreement expired in the summer of 1936 and control of the farm was lost thereby, no incoming producer shall be shown as an interested person in the soil-conserving (class I) payment on Form SR-9; except that, where the county committee finds (such findings shall be indicated by the approval of Form SR-9 setting forth the division, between the outgoing producer and the incoming producer, of such acreage as would otherwise go to the outgoing producer) that both the outgoing producer and the incoming producer have contributed to such performance in 1936, such acreage shall be divided between them according to agreement of such producers (such agreement to be indicated by their signatures on Form SR-9) or if such persons are unable to agree the county committee shall recommend, subject to the approval of the Director of the Southern Division, the division of such acreage between such persons on the basis found by it to be in all the circumstances most equitable and support its recommendation by an accompanying letter setting forth fully the facts on which such recommendation is based.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 17th day of September 1936.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 2258—Filed, September 17, 1936; 12:22 p. m.]

DEPARTMENT OF COMMERCE.

Bureau of Foreign and Domestic Commerce.

CHINA TRADE ACT REGULATIONS

AMENDMENT

SEPTEMBER 11, 1936.

By virtue of the authority contained in the Act of September 19, 1922 (42 Stat. 849-856), as amended by the Act of February 26, 1925 (43 Stat. 995-997), the regulations published pursuant to said Act, approved the ninth day of April 1935, to take effect July 1, 1935, are hereby amended by the following regulation:

14. Annual Report

Subparagraph (4) of Regulation No. 14, entitled "Annual Report", is hereby amended to read as follows:

There shall be affixed to said Form 8 a statement, in duplicate, setting forth the names, addresses, and nationalities of all stockholders of the corporation on the last day of the fiscal year ending December 31, *including number of shares and classes of stock held by each:* Provided, That such information may be incorporated in the minutes of said meeting.

Whenever a special tax-saving dividend is declared there shall also be filed, in duplicate, a certificate by the corporation in form and substance as prescribed by Form 9 of these regulations.

Form 8—Annual Report

Subparagraph (5) of Form No. 8, entitled "Annual Report", is hereby amended to read as follows:

Statement setting forth names, residences, and nationalities of stockholders *and number of shares and classes of stock held by each,* as provided for by Regulation No. 14 (4).

The foregoing regulation shall become effective the first day of November 1936.

[SEAL] ERNEST G. DRAPER,
Acting Secretary of Commerce.

[F. R. Doc. 2253—Filed, September 17, 1936; 10:16 a. m.]

INTERSTATE COMMERCE COMMISSION.

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 27th day of August A. D. 1936.

[Docket No. BMC 60107]

APPLICATION OF ARTHUR A. HAGLUND AND MIKE KNEZOVITCH FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Arthur A. Haglund and Mike Knezovitch, Co-partners, Doing Business as Hibbing Van & Transfer Co., of 1716 5th Avenue, Hibbing, Minn., for a Certificate of Public Convenience and Necessity (Form BMC 1), Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, From and Between Points Located in the States of Minnesota, Connecticut, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Missouri, Montana, Nebraska, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Texas, Virginia, West Virginia, Wisconsin, and District of Columbia, Over Irregular Routes

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions, or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner S. A. Aplin for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner S. A. Aplin, on the 21st day of October A. D. 1936, at 10 o'clock a. m. (standard time), at the Rooms of the Minnesota Railroad and Warehouse Commission, St. Paul, Minn.;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 2260—Filed, September 17, 1936; 12:24 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 27th day of August A. D. 1936.

[Docket No. BMC 76267]

APPLICATION OF MERCHANTS MOTOR FREIGHT, INC., FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Merchants Motor Freight, Inc., of 2234 University Avenue, St. Paul, Minn., for a Certificate of Public Convenience and Necessity (Form BMC 1), Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, in the States of Illinois, Missouri, Iowa, and Nebraska, Over the Following Routes:

Route No. 1.—Between Des Moines, Iowa, and Omaha, Nebr.

Route No. 2.—Between Des Moines, Iowa, and St. Louis, Mo., via Oskaloosa, Iowa, and Columbia, Mo.

Route No. 3.—Between Des Moines, Iowa, and St. Louis, Mo., via Ottumwa, Iowa, and Bowling Green, Mo.

Route No. 4.—Between Des Moines, Iowa, and Moline, and Rock Island, Ill., via Cedar Rapids and Davenport, Iowa.

Route No. 5.—Between Des Moines, Iowa, and Kansas City, Mo., via Excelsior Springs and Liberty, Mo.

Route No. 6.—Between Des Moines, Iowa, and Kansas City, Mo., via St. Joseph, Mo.

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions, or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner S. A. Aplin for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner S. A. Aplin, on the 19th day of October A. D. 1936, at 10 o'clock a. m. (standard time), at the Rooms of the Minnesota Railroad and Warehouse Commission, St. Paul, Minn.;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission,

Washington, D. C., to that effect by notice, which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 2261—Filed, September 17, 1936; 12:24 p. m.]

[Fourth Section Application No. 16513]

BABASSU AND TUCUM NUT CAKE AND MEAL

SEPTEMBER 17, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: J. E. Tilford, Agent.
Commodities involved: Babassu nut cake and meal and tucum nut cake and meal, in carloads.
Between: Points in Southern territory, on the one hand, and points in Western Trunk Line territory, on the other. Points in Virginia and North Carolina, on the one hand, and points in Trunk Line and New England territories, on the other.
Grounds for relief: Carrier competition.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL] GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 2262—Filed, September 17, 1936; 12:25 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 17th day of September A. D. 1936.

[File No. 36-23]

IN THE MATTER OF PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE

NOTICE OF HEARING AND ORDER DESIGNATING TRIAL EXAMINER

An Application having been duly filed with this Commission, by Public Service Company of New Hampshire, a subsidiary company of a registered holding company, pursuant to Section 10 (a) of the Public Utility Holding Company Act of 1935, for approval of the acquisition by applicant of all the hydroelectric development of Amoskeag Manufacturing Company, at Manchester, New Hampshire, with all of the water and riparian rights of every kind and character connected therewith, and $100,000 principal or face amount of securities of Amoskeag Industries, Inc., which applicant states it is anticipated will be in the form of stock.

It is ordered that such matter be set down for hearing on September 26, 1936, at 10:30 o'clock in the forenoon of that day, at Room 1101, Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.; and

Notice of such hearing is hereby given to said party and to any interested State, State commission, State securities commission, municipality, and any other political subdivision of a State, and to any representative of interested consumers or security holders, and any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before September 21, 1936.

It is further ordered, That Robert P. Reeder, an officer of the Commission, be, and he hereby is, designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 2268—Filed, September 17, 1936; 12:49 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 12th day of September A. D. 1936.

[File No. 2-2423]

IN THE MATTER OF REGISTRATION STATEMENT OF ROTATING VALVE CORPORATION

ORDER FIXING TIME AND PLACE OF HEARING UNDER SECTION 8 (D) OF THE SECURITIES ACT OF 1933, AS AMENDED, AND DESIGNATING OFFICER TO TAKE EVIDENCE

It appearing to the Commission that there are reasonable grounds for believing that the registration statement filed by Rotating Valve Corporation under the Securities Act of 1933, as amended, includes untrue statements of material facts and omits to state material facts required to be stated therein and material facts necessary to make the statements therein not misleading,

It is ordered that a hearing in this matter under Section 8 (d) of said Act, as amended, be convened on September 22, 1936, at 2 o'clock in the afternoon, in Room 1103, Securities and Exchange Commission Building, 1778 Pennsylvania Avenue NW., Washington, D. C., and continue thereafter at such times and places as the officer hereinafter designated may determine; and

It is further ordered that Robert P. Reeder, an officer of the Commission, be, and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of testimony in this matter, the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 2267—Filed, September 17, 1936; 12:49 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 16th day of September A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE PHILLIPS-LIBERTY FARM, FILED ON AUGUST 31, 1936, BY W. E. COOK, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as neces-

sary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on September 14, 1936, be effective as of September 14, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 2263—Filed, September 17, 1936; 12:48 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 16th day of September A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE ANDERSON-PRICHARD-HARES LINCOLN BLVD. ADDITION FARM FILED ON AUGUST 31, 1936, BY R. E. PITTS, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on September 14, 1936, be effective as of September 14, 1936; and

It is further ordered that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 2266—Filed, September 17, 1936; 12:48 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 16th day of September A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE BRITISH-AMERICAN-MCNABB PARK FARM, FILED ON SEPTEMBER 3, 1936, BY R. E. PITTS, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on September 14, 1936, be effective as of September 14, 1936; and

It is further ordered that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 2265—Filed, September 17, 1936; 12:48 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 16th day of Setember A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE PHILLIPS-SUNRAY-STATE ET AL. FARM, FILED ON SEPTEMBER 2, 1936, BY JAMES W. TAIT CO., INC., RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, ha: been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on September 14, 1936, be effective as of September 14, 1936; and

It is further ordered that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 2264—Filed, September 17, 1936; 12:48 p. m.]

SPECIAL MEXICAN CLAIMS COMMISSION.

NOTICE

All persons who are interested in the claims listed below or in any other claims within the jurisdiction of the Special Mexican Claims Commission established in pursuance of the Act of April 10, 1935 (Public, No. 30, 74th Congress), and who have not received notices from this Commission, are hereby notified that the Commission has been established with headquarters at 428 Barr Building, Washington, D. C.; that it has issued the regulations hereto annexed; and that it has prescribed as the period for the filing of additional evidence and written legal contentions on behalf of such persons the period of forty-five (45) days next following the date of publication of this notice.

EDGAR E. WITT, *Chairman.*
D. T. LANE, *Commissioner.*
J. H. SINCLAIR, *Commissioner.*

SEPTEMBER 15, 1936.

RULES AND REGULATIONS OF THE SPECIAL MEXICAN CLAIMS COMMISSION

I. NOTIFICATION TO CLAIMANTS

Notification of the establishment of this Commission and of these rules shall be sent as soon as practicable to all persons who appear from the records of the former Special Claims Commission, United States and Mexico, or from the records of the former Agency of the United States before that Commission, to be proper parties to—

(1) Claims against the Republic of Mexico, notices of which were filed with the former Special Claims Commission, with the exception of claims which were found by the Joint Committee established under the Convention of April 24, 1934, between the United States and Mexico, to be General claims; and

(2) Claims which were brought to the attention of the former Agency before the expiration of the periods specified in the Convention of September 10, 1923, between the United States and Mexico, for the filing of claims, but which, because of error or inadvertence, were not filed with or brought to the attention of the former Special Claims Commission within the said periods.

The notification herein provided for shall be without prejudice to the subsequent determination of the rights of the

persons so notified, or of other persons claiming as assignees, heirs, executors, administrators, or otherwise, with respect to the prosecution of claims before this Commission.

In the absence of a showing satisfactory to this Commission that the interests of claimants of record before the former Special Claims Commission have passed into other hands, no change in the title of any claim, as registered with the former Commission, will be made by this Commission.

II. BASIS OF DECISIONS

In conformity with the provisions of the act of April 10, 1935, the decisions of the Commission shall be made in accordance with the applicable principles of justice and equity and the terms of the convention of September 10, 1923, article III of which reads as follows:

"The claims which the Commission shall examine and decide are those which arose during the revolutions and disturbed conditions which existed in Mexico covering the period from November 20, 1910, to May 31, 1920, inclusive, and were due to any act by the following forces:

"(1) By forces of a government de jure or de facto.

"(2) By revolutionary forces as a result of the triumph of whose cause governments de facto or de jure have been established, or by revolutionary forces opposed to them.

"(3) By forces arising from the disjunction of the forces mentioned in the next preceding paragraph up to the time when the government de jure established itself as a result of a particular revolution.

"(4) By federal forces that were disbanded and

"(5) By mutinies or mobs, or insurrectionary forces other than those referred to under subdivisions (2), (3), and (4) above, or by bandits, provided in any case it be established that the appropriate authorities omitted to take reasonable measures to suppress insurrectionists, mobs, or bandits, or treated them with lenity or were in fault in other particulars."

The decisions of the Commission shall, except in such cases as it may consider to require independent investigation, be based upon the present records in the cases and such additional evidence and written legal contentions as may be presented within such period as may be prescribed therefor by the Commission.

III. PERIOD FOR FILING ADDITIONAL EVIDENCE AND WRITTEN LEGAL CONTENTIONS

The period for the filing of additional evidence and written legal contentions shall be 45 days from the date of the mailing of the above-mentioned notification: *Provided,* That the Commission may, for good cause shown on behalf of any claimant, extend the said period for such time as it may deem necessary in connection with any claim.

IV. FORM OF ADDITIONAL EVIDENCE AND WRITTEN LEGAL CONTENTIONS

Documentary evidence may consist of naturalization papers, deeds, contracts, wills, letters of administration, letters testamentary, bills of sale, foreign laws, decrees or regulations, sequestration orders, birth, death, and marriage certificates, affidavits, manifests, invoices, bills of lading, ships' papers, charter parties, insurance policies, receipts, letters, photographs, etc. Papers bearing signatures should be accompanied (a) by the addresses of the signers, or (b) by a statement that they are deceased, or (c) by a statement that their whereabouts is unknown and cannot be ascertained, as the case may be. Public documents or records (whether originals or copies) exhibited in evidence should, if possible, be authenticated by the certificate of their official custodian or recorder. Private papers or documents (whether originals or copies) should, if possible, be verified as to their contents and signatures by the affidavit of a person familiar with and competent to testify as their verity, such as the person who issued or signed the documents or who saw them issued or signed and is familiar with their contents. Verification may not be made by the magistrate or other person administering the oath, nor may it be made by the claimant himself unless the facts are within his exclusive knowledge. All testimony, papers, or documents in a foreign language which may be produced in evidence should be accompanied by a translation thereof in the English language.

Testimonial evidence must be set forth in writing upon the oath or affirmation of the deponent or affiant, who should in every instance state—

(a) His age, place of birth, nationality, present residence and occupation, and residence and occupation at the time the events occurred in regard to which he testifies.

(b) Facts and circumstances showing that he is familiar with, and competent to testify about, the matters to which his deposition or affidavit relates.

(c) Whether he has any interest, direct or indirect, and if so what interest, in the claim and, if he has any contingent interest therein, to what extent and upon the happening of what event he will be entitled to share in any indemnification which may be received in settlement of the claim.

(d) Whether he is the agent, attorney, or relative (and if a relative, what relation) of the claimant, or of any person having an interest in the claim.

The oath (affirmation) to any document or paper filed as evidence should meet the following requirements:

(a) The oath (affirmation) should be duly administered according to the laws of the place where it is taken by a magistrate or other person competent by such laws to administer oaths, having no interest in the claim to which the evidence relates and not being the agent or attorney of any person having such interest, and it must be certified by him that such is the case. An oath (affirmation) may be taken outside of the United States before a diplomatic or consular officer, or any other officer of the United States authorized to administer oaths by the laws of the United States, having no interest and not being the agent or attorney of any person having an interest in the claim, and it must be certified by him that such is the case. If the magistrate, officer, or other person administering the oath is a relative of any person having an interest in the claim, the degree of relationship must also be certified by the person administering the oath.

(b) In all cases the authority of the magistrate or other person to administer the oath (affirmation), whether outside or within the United States, must be certified, unless that person be a notary public, or a diplomatic, consular, or other officer having a seal of office, in which case an impression of the seal will be sufficient certification. In the case of a notary public the date of the expiration of his or her commission should be stated.

No particular form is prescribed for written legal contentions which may be submitted to the Commission.

V. BOOKS OF THE COMMISSION

The books of the Commission shall comprise the following:

(1) A Docket Book, which shall contain—

(a) The names and addresses of all claimants of record before the former Special Claims Commission, United States and Mexico, as defined in section I hereof, or of the persons satisfactorily shown to have succeeded to the interests of such claimants of record.

(b) The names and addresses of the attorneys of record.

(c) The docket numbers of the claims, which, with respect to claims filed with the former Special Claims Commission, shall be the same as the former docket numbers.

(d) The dates of notification to claimants in pursuance of section 5 of the act of April 10, 1935, and the dates of all subsequent correspondence between claimants or their attorneys and the Commission.

(e) A notation of every act or proceeding of the Commission with respect to any claim.

(f) A notation of every document received by the Commission with respect to any claim.

(2) A Minute Book, in which shall be recorded all proceedings and orders of the Commission.

(3) A Decision Book, which shall contain all decisions of the Commission regarding the claims presented.

(4) An Account Book, in which shall be recorded all expenditures by the Commission.

VI. ACCESS TO FILES AND WITHDRAWAL OF DOCUMENTS

Within the periods specified for the presentation of additional evidence and written legal contentions, claimants or their duly authorized representatives may be permitted, in the discretion of the Commission, to examine in the offices of the Commission the files relating to the claims in which they are directly interested. Papers or documents may be withdrawn from the files only with the express approval of the Commission and upon a written undertaking for the return of such papers or documents within a period to be specified in each instance.

VII. CORRESPONDENCE BETWEEN THE COMMISSION AND CLAIMANTS OF RECORD

Under the law establishing the Commission, the burden of proving claims rests upon the claimants, and the Commission has the judicial function of deciding the claims. The Commissioners and the officials connected with the Commission are therefore unable to assist claimants or their attorneys in the prosecution of claims or to discuss the merits of claims with claimants or their representatives. They will, however, upon request, advise claimants or their representatives of the status of the claims in which they are interested and of the procedure for perfecting such claims. No person will be recognized as a representative of a claimant in the absence of a power of attorney or other document duly authorizing him to act on the claimant's behalf.

VIII. PRESENTATION OF CLAIMS FOR DECISION

Upon the expiration of the periods prescribed for the submission of additional evidence and written legal contentions, the staff of the Commission will proceed to prepare for the consideration of the Commission reports with respect to the claims which are ready for decision. The Commission may, in its discretion, issue administrative decisions grouping claims or formulating general principles applicable to the disposition of claims.

IX. DECISIONS

The decisions of the Commission shall set forth the reasons for the allowance or disallowance of the claims presented. In every instance in which an award is made express reference shall be made to section 4 of the act of April 10, 1935, which reads as follows:

"If, after all claims have been passed upon and all awards have been entered, the Commission shall find that the total amount of such awards is greater than the amount that the Government of Mexico has agreed to pay to the Government of the United States in satisfaction of the claims, less the expenses of the Commission, it shall reduce the awards on a percentage basis to such amount, and shall enter final awards in such reduced amounts."

The Commission, moreover, in the absence of satisfactory evidence that the amount of the fees of counsel or attorneys employed by the claimant or claimants is the subject of a contract between such counsel or attorneys and the claimant or claimants, shall, at the time of entering an award on any claim, enter as a part of the said award an allowance to such counsel or attorneys of such fees as it shall determine to be just and reasonable for the services rendered the claimant or claimants in the prosecution of the claim.

X. PERIOD FOR APPLICATION TO COMMISSION FOR ALLOWANCE OF FEES WHERE THERE IS A CONTRACT OR AGREEMENT FOR SERVICES

In any case in which it is shown to the satisfaction of the Commission that the fees of counsel or attorneys have been fixed by contract or agreement, the Commission will not enter an allowance of fees unless so requested in writing by the claimant or claimants, or the counsel or attorneys, within 90 days after notice of the entry of an award and notice of the provisions of section 8 of the act shall have been mailed by the Commission to the claimant or claimants.

EDGAR E. WITT, *Chairman.*
J. H. SINCLAIR, *Commissioner.*
D. T. LANE, *Commissioner.*

SEPTEMBER 16, 1935.

LISTS OF CLAIMS PENDING BEFORE THE SPECIAL MEXICAN CLAIMS COMMISSION IN CONNECTION WITH WHICH NOTICES SENT BY THE COMMISSION HAVE BEEN RETURNED

Docket No.	*Claimant*
34	Mrs. Flora White Brooks.
82	Eugene C. May.
83	Winchester Cooley, Administrator of the Estate of Lewis E. Booker.
86	John Gordon D. Boyd.
91	Estate of Robert D. Shearer and on behalf of Morris Shearer.
123	Clemens Jungk.
135	B. W. Morring.
142	James A. Fraser.
144	E. F. Knotts.
155	Mrs. Gregoria Ayala Viuda de Collins.
168	George Curry.
171	William Adams.
180	Edwin G. Hector.
196	Dr. Mary Kelly Sparks.
204	James E. Whetten.
210	Leland E. Clifton.
212	C. Chapman.
222	Orin F. Farnsworth.
227	Eddie L. Cluff.
230	Stephen A. Farnsworth.
236	Joseph A. Farr.
250	Ezra Monlux.
263	Lester B. Farnsworth.
268	J. Henry Webb.
272	Edward L. Campbell.
273	Raymond A. Farnsworth.
277	J. E. Webster.
284	L. Gunter.
294	David Winn.
307	John E. Bradley.
320	Sextus A. Johnson.
322	George W. Scott.
327	Mrs. Palestine Jones.
334	Preston H. Jones.
335	Emasiah S. Nichols.
336	Mrs. Emma C. Jones.
340	Buena Fé Mining Company.
376	Henry James Jory.
414	Mrs. Sallie C. Cummins.
416	Isaac K. Berry.
418	Lee Glascow.
433	J. S. Timberlake and George W. Newberry.
449(7)	Mrs. Matilda Symanski Bodine.
460	J. P. Lewis.
475	John W. Cartwright.
479	Louis E. Loiselle.
488	James J. Hurst.
491	John Patrick.
525	American-Mexico Land & Cattle Co.
531	Obispo Rubber Plantation Co.
542	James Bailey.
551	El Orito Mining & Milling Company.
586	Ludwig A. Sandburg.
599	The Cortez Associated Mines.
602	Estate of Madison H. Ish.
613	Arthur E. Froehlich.
614	La Cobriza Mining Company.
616	P. T. Lipscomb.
634	J. A. Russell.
635	Santa Ysabel Mining Company.
642	James L. Reeder.
643	Charles W. Goodrich.
646	American-Mexico Mining & Developing Co.
648	Moroni Fenn.
649	Wilford S. Davis.
668	The W. F. Boardman Company, Estate of Charles F. Legge, Jesse S. Andrews, Charles R. Lindsay, Estate of W. F. Knox, A. R. Hall, L. F. Thurber, Estate of H. C. Keyes, H. S. Humphrey, Edw. Schwartzburg, W. E. Gerber, H. C. Fritz, L. Feigenbaum, H. J. Trenkamp, Sr., W. C. Crittenden, Geo. A. Phinney, D. Edw. Dangler, J. J. Knight, Mrs. D. Edw. Dangler, Edw. G. Blinks, James E. Stacey, Clare Phinney.
680	Louis E. Laurent.
690	Lee R. Redwine.
711	El Carmen Copper Company.
731	William B. Wofford.
744	Henry W. Catlin.
753	Ernest Guy Taylor.
762	Henry E. Halgrimson and Robert Mowbray.
775	Luella B. Pennington-Lorch.
781	D. H. Bradley and D. H. Bradley, Jr.
794	Frederico D. Ritter.
824	Carvoro Mining Company.
838	William James McGimpsey, Executor of the Estate of Gabriel S. Erb.
836	Samuel E. Western.
849	Frank M. Abbott.
855	John Vandemoer.
856	Lester Lumber Co., Ltd.

Docket No.	*Claimant*
891	Rilla Corbett.
893	John C. Wheatley.
899	Mrs. A. P. Hennesy.
900	Arthur P. Dittmar.
903	Frederick C. Hetschel.
916	T. E. Nabors.
917	A. R. and E. R. Downs.
920	Lawrence Parr.
925	Melvin M. Godman.
934	Mrs. Jeannette Breen.
935	John D. Black.
936	Mrs. Myrtle Diepert.
944	Moralena Mining Company.
946	Ada Fay, Administratrix of the Estate of Walter A. Fay, and Mrs. Elizabeth Showmaker, Mrs. Marian McKenna, Mrs. Clark Weaver, and Helen Fay.
951	William D. Sisson.
952	J. A. Moseley.
958	Thomas Cotz.
960	Hartwell S. Davis.
969	Yoquivo Development Co.
975	James McNellis.
977	Mrs. George Edwin Redd.
980	George H. May.
983	Mrs. L. S. Tennent.
984	Allex Jones.
986	Montezuma-Arizpe Development Co.
987	M. P. Larios.
989	W. H. Smith.
990	Alfred A. Stewart.
996	Next of Kin of Daniel Foley.
1000	John A. Jones.
1003	H. A. Fisher.
1007	Alamo Mining and Smelting Co.
1008	Mrs. Elena Stevenson.
1010	Walter Finson.
1013	Dr. C. H. Miller.
1018	James K. MacGill.
1021	William A. Wilkins.
1029	W. S. Moore.
1036	Arthur J. Elian, jr.
1047	Randolph B. Berry.
1051	H. C. Caldwell.
1057	Estate of P. W. Warner.
1065	Herman Zeitz.
1067	Next of Kin of William Adams.
1069	Mrs. Aida Granville Patton.
1070	W. E. Brock.
1071	Philo Burkholder.
1073	E. C. Eason.
1074	Robert D. Pringle.
1075	Newton Riley.
1079	Ames Cressy.
1083	Richard Brown.
1089	Andrew J. Hurst.
1105	Mrs. Ida B. Grimes.
1108	William Burnett Anthony.
1110	George Stinson.
1150	Torreon Construction Company.
1158	George A. Brennies.
1159	Lucius C. Blakslee and David Bell.
1162	El Placer Company and Boston-Oaxaca Mining Company.
1171	Pacific Timber Company.
1174	International Planters Co.
1197	Sonora Investment Company.
1206	N. G. Harrold.
1215	Bertha Palmer.
1216	Cia. Explotadora y Exportadora de Azufre.
1218	Henry Cohen.
1221	Estate of C. L. York.
1222	Mrs. Amelia O'Donnal.
1226	Henry H. Blankenship.
1229	James E. Coker.
1235	Harold McLeod Cobb.
1251	Pearl A. Young and Wm. G. Crandall, Administrator of the Estate of Edgar B. Bean.
1256	Mrs. Clarissa T. Rabb, Administratrix of the Estate of Edward M. Rabb.
1273	Louise Mining Company.
1285	Mexican Mines Corporation.
1287	J. T. Canfield.
1293	Ben F. LeBaron.
1309	Roblito Rubber Plantation Co.
1311 and 2957	Mrs. D. W. Smith.
1319	Grove C. Fiske.
1338	C. W. Lininger.
1346	S. M. Stafford, Trustee for the Pentecostal Church of the Nazarene.
1352	S. B. Bishop.
1354	Ralph P. Church.
1355	Estate of H. J. Carrel.
1368	Santa Rita Mining Company.
1371	Preston Barnes.
1385-A	Ephriam Oscar Western, Sr.
1392	Rudolph Gross, Alexander Gross, Felix Gross, and Anna Gross.
1401	Nelson Nyberg.
1414	Jennie Meineke.
1415	Estate of Charles Z. Culver.
1421 and 1157	Mrs. P. W. (Lizzie) Summers.
1432	John W. Brooks and L. E. Woodman.
1433	C. E. Blair.
1439	George Deck.
1443	Z. C. Mathes.
1453	Al J. Lynch.
1455	Estella M. Goebel.
1469	Mines Corporation, Ltd.
1478	Mrs. Emma Skinner.
1482	Mexican Iron and Steel Company.
1489	David Gough.
1494	William Kissick.
1505	Claude LeCarboulec.
1506	F. E. Chisum.
1511	G. R. Kahl.
1513	James C. Jacoby.
1517	Carlota Gray, Howard Horace Gray, Carlos Colton Gray, Mabel Gertrude Gray, and Harley Hubert Gray.
1519	Mexican Plantation Association.
1536	A. C. Stiebel.
1537	H. B. Smith.
1545	Carlos A. Miller.
1546	Mark Johnson.
1548	D. F. Miller.
1555	Samuel Moore.
1559	Mateo Naldo.
1562	E. J. Rowby.
1566	Dennis E. Hamer.
1584	Isaiah Garrett.
1587	T. M. Fernandez.
1588	I. B. Rinehart.
1589	Carl P. Halter.
1590	Claude C. Couvillon.
1591	Frank E. Couvillon.
1605	Compania Minera Porvenir de Sonora, John T. Cave and F. W. Curtis.
1606	James H. Bowser.
1607	California South Sea Navigation Co.
1608	Dr. A. Bueron.
1610	James Edmiston.
1611	J. E. Edwards.
1628	E. P. Cardon.
1651	R. A. Ward.
1655	Peter Mortensen.
1662	Reuben Gurr.
1689	Leopold Blum.
1700	J. S. Berger.
1703	S. S. Wooley.
1715	Next of Kin of Peder Pedersen.
1717	Frank La Grange.
1718	H. Winninghoff.
1722	Walter G. Silver, Special Administrator of the Estate of Charles W. Silver, deceased, and George M. Russegue, George G. Bolton, and International Mexico Land, Lumber and Stock Development Company.
1731	Middleton S. Borland, Trustee in Bankruptcy of Knauth, Nachod & Kuhne.
1739	Estate of Dr. A. W. Parsons.
1750	W. A. Rentie.
1761	San Juan Mining Company.
1765	John S. King.
1769	C. W. Watt.
1770	Thomas R. Bremner.
1771	S. Ben Smith.
1774	Elias T. Shields.
1778	Azle Pender Sharpe.
1781	Eileen Shannon and Heirs of Estate of Ambrose C. Kies.
1794	Next of Kin of Frank King.
1795	Next of Kin of Thomas Barrett.
1800	Augustin Haskell.
1810	Webster Company.
1817	E. L. Wilson.
1824	John M. Bishop.
1833	Antonio Pina.
1837	William Drewin.
1842	William White.
1851	E. E. Eck.
1853	Phil Head.
1859	Droguería Lagunera Company.
1860	Walter E. Scott.
1865	Frank W. Koch.
1876	A. D. Barlow.
1878	George O'Neal.
1881	F. L. Legerts.
1887	The Consolidated Mining Co.
1895	S. H. Hodgson.
1910	William H. Daily.
1915	E. L. Daroux, Member of the firm of Daroux and Drew, a partnership.
1924	Francis D. Posey.
1925	United States Optical Co.
1930	Mrs. Lou D. Turner.
1931	A. D. Taylor.

Docket No.	*Claimant*
1939	Next of Kin of J. W. Storey.
1940	Theo. L. Stouffer.
1944	George E. Hogue.
1949	Durango Mercantile Company.
1958	Estate of Jacob D. Rowe.
1959	Asientos Mining Company.
1980	Mrs. Walter Van Den Bosch.
1987	Charles F. Parker.
1988	Fred C. Hall.
1999	Ernest Harms.
2001	Mrs. James LeNoir.
2002	David N. Williams.
2004	D. I. Milling.
2008	E. L. Winslow.
2011	Dr. John Gordon McAlpine.
2013	Marcos Luis Jaimes.
2016	Mrs. Bernard Kelly.
2022	Joe E. Trumbley.
2032	Oliver C. Ulmer.
2034	George S. Bailey.
2041	Ory G. Meek.
2047	J. O. Evans.
2051	A. V. N. Franchie.
2067	Mexican Exploration Syndicate.
2071	Mrs. G. H. Muñoz and other Heirs of Marcial Muñoz, deceased.
2083	G. E. Ingersoll.
2101	W. J. Harrell.
2104	Hiram C. Smith.
2107	J. S. Haller.
2113	Jacob Schmid.
2122	C. D. Foster.
2123	Frank Sims.
2128	Next of Kin of William T. Kendall.
2132	Robert LeBonnet.
2133	J. D. Lawson.
2137	Edward Fenley.
2140	I. A. Winans.
2143	Albert Frank.
2145	C. J. Moon.
2162	Leonard Haynes, et al., Allottees of Compañía Comercial de Puebla, S. A.
2163	H. L. Eisenhart.
2166	Imperial Development Company.
2179	F. G. Holeman.
2180	J. N. Wallace.
2196	Fred Hetrick.
2197	Joseph Henry Debus.
2199	Henry Copelan.
2203	A. U. Gray.
2208	Chester Staley.
2211	W. Blair Flandrau.
2217	J. F. Hodges.
2226	Alonzo D. Skinner.
2228	Ernest Hesse.
2230	F. Edward Haymore.
2232	Harry G. Brown.
2233	Lucy Ansley.
2244	Edward A. Hunt.
2247	C. G. Carlisle.
2253	Maria R. Sherman.
2254	Mrs. J. S. McDonald.
2256 and 2377	J. G. Bartlett.
2272	E. M. Albers.
2275	William Staley.
2276	Lucy A. Brown.
2283	Guanajuato Mine Syndicate.
2285	L. Q. Taylor.
2286	Pedro Galles.
2287	I. Clark Webb.
2289	Mrs. Carolina Elizabeth Harrell.
2291	F. O. Colson.
2292	James Brewer.
2294	F. A. Carter.
2295	Esperanza Mining Company.
2301	Mrs. Laura Merrifield, et al.
2303	W. E. Esterly.
2304	Oil Fields of Mexico Company.
2309	Moses E. Sanders.
2322	W. J. Wakefield.
2341	E. E. Denler.
2355	Thomas H. Denney.
2357	Hubert Ebe.
2363	Lucy Bailey and Thomas E. Bailey.
2374	John Cortland Elkins.
2387	Alfred M. Grant.
2391	Next of Kin of Frank Hayden.
2402	Next of Kin of John Williams.
2437	La Republica Mining Company.
2438	W. E. Ashton, M. D.
2440	C. E. Shackelford.
2452	T. B. Rains, Stockholder in Virginia C. Mining, Milling and Smelting Co., S. A.
2465	Next of Kin of Charles Goldsborough.
2468	Aschir Stamps.
2472	Next of Kin of Henry Scholz.
2474	Next of Kin of Oscar Wallace.
2479	Next of Kin of Edward J. Wright.
2489	William Krause.
2507	Alvarado Mining & Milling Co.
2508	William Bauch, Mrs. Bertha Bauch, and Louise Bauch Hartley Achilles.
2514	L. A. Palmer.
2571	Next of Kin of Ernest Spillsbury.
2600	J. A. Hatch.
2607	M. Kranzthor.
2609	Thomas W. Willard, M. D.
2620	Clarence J. Moon.
2623	V. R. Johnson, Adm. of the Estate of B. L. Johnson, deceased.
2646	T. N. McCormick.
2650	Frank Humphers.
2661	Carolina Buser.
2696	Charles Boyle.
2702	Mrs. Celia Griffiths.
2725	American International Fuel and Petroleum Company.
2750	S. A. Joyner, Gene Patton, J. Butler, Oscar Dunn, C. G. Nicewarner, A. A. Hamilton, H. R. Preston, James Barnett, R. J. Bills, Daisy Patton, Bertha Heinrich, V. Veach, T. O. Cockburn, Henry Valkamp and W. H. Merical.
2764	Jesusa Varela and Adolfo Varela.
2767	Abundio Soto.
2821	Frontera Transportation Company.
2829	W. Y. Rich and Oscar Bryans.
2840	Gertrude Baker Stone.
2845	Next of Kin of Frederick W. Slaughter.
2847	J. C. Dold.
2851	M. Farrell.
2886	P. L. Mathews.
2887	Mrs. Irene Mathews.
2897	Mrs. Minerva A. Renner McCrocklin, Individually and as Executrix of the Will of Linton M. McCrocklin, Deceased.
2916	John Glaus.
2919	Elias B. Kinne.
2966 and 2501	Vernie and Oscar Medlin.
2980	Parsons Trading Company.
3011	El Sandoval Association.
3013	S. M. Johnson.
3021	Col. Otto Wahrmund and Other American Stockholders of Compania Guaylera Nacional, S. A.
3025	Leonardo Lujan.
3033	Estate of Charles Pilkey.
3039	J. W. Porter and other next of kin of Gabriel Porter.
3040	Russell Davidson and other next of kin of Roderick Davidson, Deceased.
3051	W. M. McCarty.
3052	Mexico American Land Company.
3055	W. H. Ringgold.
3061	C. D. Turley.
3062	John Esher Knobel.
3069	Dr. Charles C. Young.
3072	Charles L. Foerster.
3073	William B. Raymond and Carl F. Schader.
3075	Estate of Independence Grove.
3084	Next of Kin and the Estate of Charles Crossman.
3089	G. H. Snowden.
3104	F. M. Shelton and other American Stockholders of the American Grocery Company, S. A.
3112	Estate of Frank S. Kirkland.
3119	J. S. Andrews, Adm. of the Estate of P. A. Andrews, deceased.
3120	D. H. Higle.
3122	M. B. Knapp.
3128	A. G. Fenrich.
3134	J. B. Thomas.
3145	T. B. Phillips.
3160	George W. Foote, Theodore Harris, and Heirs of Alonzo Dutton.
3164	Lake Viejo Grapefruit & Orange Co.

[F. R. Doc. 2252—Filed, September 17, 1936; 10:12 a. m.]

Saturday, September 19, 1936 *No. 135*

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

DETERMINATION OF THE SECRETARY OF AGRICULTURE WITH RESPECT TO A PROPOSED ORDER REGULATING THE HANDLING OF MILK IN THE DISTRICT OF COLUMBIA MARKETING AREA

Whereas, the Secretary of Agriculture, pursuant to Sections 8b and 8c of Title I of the Agricultural Adjustment Act, approved May 12, 1933, as amended, hereinafter called the act, having reason to believe that the issuance of a marketing